

(B) cont.
2

1 within a political subdivision or school district or that results in nonresidential uses
2 that create a need for new, expanded, or improved public facilities within a political
3 subdivision or school district.

4 **SECTION 152dd.** 66.0617 (1) (f) of the statutes is amended to read:

5 66.0617 (1) (f) “Public facilities” means includes highways, as defined in s.
6 340.01 (22), and other transportation facilities, traffic control devices, facilities for
7 collecting and treating sewage, facilities for collecting and treating storm and
8 surface waters, facilities for pumping, storing, and distributing water, parks,
9 athletic fields, playgrounds and other recreational facilities, solid waste and
10 recycling facilities, fire protection facilities, fire fighting apparatus, law enforcement
11 facilities, emergency medical facilities, public school facilities, and libraries except
12 that, with regard to counties, “public facilities” does not include highways, as defined
13 in s. 340.01 (22), other transportation facilities or traffic control devices. “Public
14 facilities” does not include facilities owned by a school district.

15 **SECTION 152de.** 66.0617 (1) (g) of the statutes is amended to read:

16 66.0617 (1) (g) “Service area” means a geographic area delineated by a political
17 subdivision or school district within which there are public facilities.

18 **SECTION 152df.** 66.0617 (1) (h) of the statutes is amended to read:

19 66.0617 (1) (h) “Service standard” means a certain quantity or quality of public
20 facilities relative to a certain number of persons, parcels of land, or other appropriate
21 measure, as specified by the political subdivision or school district.

22 **SECTION 152dg.** 66.0617 (2) (a) of the statutes is amended to read:

23 66.0617 (2) (a) ~~Subject to par. (am), a~~ A political subdivision may enact an
24 ordinance under this section that imposes impact fees on developers to pay for the
25 capital costs that are necessary to accommodate land development. A school district

1 may adopt a resolution under this section that imposes impact fees on developers to
2 pay for the capital costs that are necessary to accommodate land development.

3 **SECTION 152dh.** 66.0617 (2) (am) of the statutes is repealed.

4 **SECTION 152di.** 66.0617 (2) (b) of the statutes is amended to read:

5 66.0617 (2) (b) ~~Subject to par. (c), this~~ This section does not prohibit or limit the
6 authority of a political subdivision or school district to finance public facilities by any
7 other means authorized by law, ~~except that the amount of an impact fee imposed by~~
8 ~~a political subdivision shall be reduced, under sub. (6) (d), to compensate for any~~
9 ~~other costs of public facilities imposed by the political subdivision on developers to~~
10 ~~provide or pay for capital costs.~~

11 **SECTION 152dj.** 66.0617 (2) (c) of the statutes is repealed.

12 **SECTION 152dk.** 66.0617 (3) of the statutes is amended to read:

13 66.0617 (3) PUBLIC HEARING; NOTICE. Before enacting an ordinance or adopting
14 a resolution that imposes impact fees, or amending an existing ordinance or
15 resolution that imposes impact fees, a political subdivision or school district shall
16 hold a public hearing on the proposed ordinance or resolution or amendment. Notice
17 of the public hearing shall be published as a class 1 notice under ch. 985, and shall
18 specify where a copy of the proposed ordinance or resolution or amendment and the
19 public facilities needs assessment may be obtained.

20 **SECTION 152dL.** 66.0617 (4) (a) (intro.) of the statutes is amended to read:

21 66.0617 (4) (a) (intro.) Before enacting an ordinance or adopting a resolution
22 that imposes impact fees or amending an ordinance or resolution that imposes
23 impact fees by revising the amount of the fee or altering the public facilities for which
24 impact fees may be imposed, a political subdivision or school district shall prepare
25 a needs assessment for the public facilities for which it is anticipated that impact fees

1 may be imposed. The public facilities needs assessment shall include, but not be
2 limited to, the following:

3 **SECTION 152dm.** 66.0617 (4) (b) of the statutes is amended to read:

4 66.0617 (4) (b) A public facilities needs assessment or revised public facilities
5 needs assessment that is prepared under this subsection shall be available for public
6 inspection and copying in the office of the clerk of the political subdivision or school
7 district at least 20 days before the hearing under sub. (3).

8 **SECTION 152dn.** 66.0617 (5) of the statutes is amended to read:

9 66.0617 (5) DIFFERENTIAL FEES, IMPACT FEE ZONES. (a) An ordinance enacted or
10 resolution adopted under this section may impose different impact fees on different
11 types of land development.

12 (b) An ordinance enacted or resolution adopted under this section may
13 delineate geographically defined zones within the political subdivision or school
14 district and may impose impact fees on land development in a zone that differ from
15 impact fees imposed on land development in other zones within the political
16 subdivision or school district. The public facilities needs assessment that is required
17 under sub. (4) shall explicitly identify the differences, such as land development or
18 the need for those public facilities, which justify the differences between zones in the
19 amount of impact fees imposed.

20 **SECTION 152do.** 66.0617 (6) (intro.) of the statutes is amended to read:

21 66.0617 (6) STANDARDS FOR IMPACT FEES. (intro.) Impact fees imposed by an
22 ordinance enacted or resolution adopted under this section:

23 **SECTION 152dq.** 66.0617 (6) (b) of the statutes is repealed.

24 **SECTION 152dr.** 66.0617 (6) (d) of the statutes is repealed.

25 **SECTION 152ds.** 66.0617 (6) (f) of the statutes is repealed.

1 **SECTION 152dt.** 66.0617 (6) (g) of the statutes is amended to read:

2 66.0617 (6) (g) Shall be payable by the developer to the political subdivision or
3 school district, either in full or in instalment payments that are approved by the
4 political subdivision or school district, before a building permit may be issued or
5 other required approval may be given by the political subdivision or school district.

6 **SECTION 152du.** 66.0617 (7) of the statutes is amended to read:

7 66.0617 (7) **LOW-COST HOUSING.** An ordinance enacted or resolution adopted
8 under this section may provide for an exemption from, or a reduction in the amount
9 of, impact fees on land development that provides low-cost housing, except that no
10 amount of an impact fee for which an exemption or reduction is provided under this
11 subsection may be shifted to any other development in the land development in
12 which the low-cost housing is located or to any other land development in the
13 political subdivision or school district.

14 **SECTION 152dv.** 66.0617 (8) of the statutes is amended to read:

15 66.0617 (8) **REQUIREMENTS FOR IMPACT FEE REVENUES.** Revenues from impact
16 fees shall be placed in a segregated, interest-bearing account and shall be accounted
17 for separately from the other funds of the political subdivision or school district.
18 Impact fee revenues and interest earned on impact fee revenues may be expended
19 only for capital costs for which the impact fees were imposed.

20 **SECTION 152dw.** 66.0617 (9) of the statutes is amended to read:

21 66.0617 (9) **REFUND OF IMPACT FEES.** An ordinance enacted or resolution adopted
22 under this section shall specify that impact fees that are imposed and collected by
23 a political subdivision or school district but are not used within a reasonable period
24 of time after they are collected to pay the capital costs for which they were imposed
25 shall be refunded to the current owner of the property with respect to which the

1 impact fees were imposed. The ordinance or resolution shall specify, by type of public
2 facility, reasonable time periods within which impact fees must be spent or refunded
3 under this subsection. In determining the length of the time periods under the
4 ordinance or resolution, a political subdivision or school district shall consider what
5 are appropriate planning and financing periods for the particular types of public
6 facilities for which the impact fees are imposed.

7 **SECTION 152dx.** 66.0617 (10) of the statutes is amended to read:

8 66.0617 (10) APPEAL. A political subdivision that enacts an impact fee
9 ordinance under this section, and a school district that adopts an impact fee
10 resolution under this section, shall, by ordinance or resolution, specify a procedure
11 under which a developer upon whom an impact fee is imposed has the right to contest
12 the amount, collection or use of the impact fee to the governing body of the political
13 subdivision or school district.”

14 **175.** Page 53, line 4: after that line insert:

15 “**SECTION 153s.** 66.1113 (2) (a) of the statutes, as affected by 2001 Wisconsin
16 Act 16, is amended to read:

17 66.1113 (2) (a) The governing body of a political subdivision, by a two-thirds
18 vote of the members of the governing body who are present when the vote is taken,
19 may enact an ordinance or adopt a resolution declaring itself to be a premier resort
20 area if, except as provided in ~~par.~~ pars. (e) and (f), at least 40% of the equalized
21 assessed value of the taxable property within such political subdivision is used by
22 tourism-related retailers.

23 **SECTION 153t.** 66.1113 (2) (f) of the statutes is created to read:

1 66.1113 (2) (f) The city of Bayfield may enact an ordinance or adopt a resolution
2 declaring itself to be a premier resort area under par. (a) even if less than 40% of the
3 equalized assessed value of the taxable property within Bayfield is used by
4 tourism-related retailers.”.

5 **176.** Page 53, line 20: after that line insert:

6 “**SECTION 156b.** 70.32 (2) (c) 1. of the statutes is amended to read:

7 70.32 (2) (c) 1. “Agricultural land” means land, exclusive of buildings and
8 improvements and the land necessary for their location and convenience, that is
9 devoted primarily to agricultural use, as defined by rule, if the land is a farm, as
10 defined in sub. (2s) (a) 2., and the owner or lessee of the land files the form under sub.
11 (2s).

12 **SECTION 156d.** 70.32 (2) (c) 1m. of the statutes is created to read:

13 70.32 (2) (c) 1m. “Other” means buildings and improvements located on farms,
14 as defined in sub. (2s) (a) 2., and the land necessary for their location and
15 convenience.

16 **SECTION 156e.** 70.32 (2s) of the statutes is created to read:

17 70.32 (2s) (a) In this subsection:

18 1. “Department” means the department of revenue.

19 2. “Farm” means a business engaged in activities included in the North
20 American Industry Classification System, 1997 edition, published by the U.S. office
21 of management and budget under any of the following classifications, if the business
22 generated at least \$3,500 in gross receipts, including payments in kind for placing
23 land in federal programs, from such activities in the year preceding the date that a
24 form is filed under par. (b) or if the business is likely to generate at least \$3,500 in

1 gross receipts, including payments in kind for placing land in federal programs, from
2 such activities in the year following the date that a form is filed under par. (b):

3 a. Classification 111–Crop production including growing sod, Christmas trees,
4 and ginseng under industry number 111421, but excluding growing nursery product
5 and stock under industry number 111421.

6 b. Classification 112–Animal production.

7 (b) Any person who owns or who is a lessee of land used as a farm shall file a
8 form, as prescribed by the department, with the assessor of each taxation district in
9 which land included in the farm is located no later than March 1 that certifies that
10 the person is the owner or lessee of land used as a farm. The person shall certify on
11 the form that the farm generated at least \$3,500 in gross receipts, including
12 payments in kind for placing land in federal programs, from the activities described
13 under par. (a) 2. in the preceding year, or is likely to generate at least \$3,500 in gross
14 receipts, including payments in kind for placing land in federal programs, from such
15 activities in the year following the date that a form is filed under this paragraph. On
16 the form, the person shall specify each such activity and the gross receipts generated
17 or likely to be generated from each activity. For purposes of this subsection, gross
18 receipts from the activities described under par. (a) 2. shall be calculated on a per
19 farm basis, regardless of whether the farm is located in more than one taxation
20 district. A person who has filed a form under this paragraph shall only file such a
21 form in a subsequent year, if in that subsequent year the person has acquired or
22 leased additional land to be used as part of the farm.

23 (c) If the use of the person's land has changed so that it may no longer be
24 assessed as agricultural land under sub. (2r), the person who owns or who is the
25 lessee of the land shall notify the assessor of the taxation district in which the

1 person's land is located, on a form prescribed by the department. If the use of the
2 person's land has changed so that it may no longer be assessed as agricultural land
3 under sub. (2r) and the person who owns or who is the lessee of the land does not
4 notify the assessor of the taxation district as provided under this paragraph, the
5 taxation district shall treat the difference between the land's value as agricultural
6 land under sub. (2r) and the land's value under the appropriate classification as
7 provided under sub. (2) (a) as omitted property under s. 70.44 and collect from the
8 owner of the land the penalty under s. 74.485."

9 **177.** Page 54, line 3: delete the material beginning with that and ending with
10 page 57, line 13.

11 ~~**178.** Page 54, line 12: on lines 12 and 19, after "106-554" insert "excluding~~
12 ~~sections 201 and 202 of P.L. 106-554"~~

13 ~~**179.** Page 55, line 2: on lines 2, 6, 16 and 24, after "106-554" insert "excluding~~
14 ~~sections 201 and 202 of P.L. 106-554"~~

15 ~~**180.** Page 56, line 6: on lines 6, 9 and 20, after "106-554" insert "excluding~~
16 ~~sections 201 and 202 of P.L. 106-554"~~

17 ~~**181.** Page 57, line 2: on lines 2, 9, 13 and 22, after "106-554" insert "excluding~~
18 ~~sections 201 and 202 of P.L. 106-554"~~

19 **182.** Page 57, line 22: delete "P.L. 106-554." ← STAYS

20 ~~**183.** Page 58, line 5: on lines 5, 11, 14 and 25, after "106-554" insert "excluding~~
21 ~~sections 201 and 202 of P.L. 106-554"~~

22 **184.** Page 58, line 5: on lines 5, 11 and 14, delete "P.L. 106-554."

23 **185.** Page 58, line 25: delete "P.L. 106-554, P.L. 106-573."

1 ~~186.~~ Page 59, line 9: on lines 9, 15 and 18, after "~~106-554~~" insert "~~, excluding~~
2 ~~sections 201 and 202 of P.L. 106-554~~".

3 **187.** Page 59, line 9: on lines 9, 15 and 18, delete "P.L. 106-554, P.L.
4 106-573.".

5 **188.** Page 60, line 3: delete the material beginning with "P.L. 106-230" and
6 ending with "P.L. 106-573." on line 4.

7 ~~189.~~ Page 60, line 4: on lines 4, 13, 19 and 22, after "~~106-554~~" insert "~~, excluding~~
8 ~~sections 201 and 202 of P.L. 106-554~~".

9 **190.** Page 60, line 13: delete that line and substitute "and P.L. 107-16,
10 excluding".

11 **191.** Page 60, line 19: delete the material beginning with "P.L. 106-230" and
12 ending with "106-573." on line 20.

13 **192.** Page 60, line 22: delete "P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.
14 106-573.".

15 **193.** Page 61, line 1: delete the material beginning with "and before" and
16 ending with "2001." on line 2.

17 ~~194.~~ Page 61, line 7: on lines 7, 17 and 23, after "~~106-554~~" insert "~~, excluding~~
18 ~~sections 201 and 202 of P.L. 106-554~~".

19 **195.** Page 61, line 7: delete that line and substitute "104-188, and as
20 amended by".

21 **196.** Page 61, line 8: delete "P.L. 106-573, and".

22 **197.** Page 61, line 16: delete "P.L. 106-200, P.L. 106-230.".

23 **198.** Page 61, line 17: delete "P.L. 106-519, P.L. 106-554, P.L. 106-573.".

1 **199.** Page 61, line 21: delete “and before January 1, 2001.”

2 **200.** Page 61, line 22: delete “P.L. 106-200, P.L.”

3 **201.** Page 61, line 23: delete “106-230, P.L. 106-519, P.L. 106-554, P.L.
4 106-573, and”.

5 **202.** Page 61, line 25: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.”

6 ~~**203.** Page 62, line 1: after “106-554” insert “, excluding sections 201 and 202
7 of P.L. 106-554”.~~

8 **204.** Page 62, line 1: delete “106-554, P.L. 106-573, and”.

9 **205.** Page 62, line 3: delete the material beginning with that line and ending
10 with page 63, line 24.

11 ~~**206.** Page 62, line 19: after “106-554” insert “, excluding sections 201 and 202
12 of P.L. 106-554”.~~

13 ~~**207.** Page 63, line 10: after “104-188,” insert “sections 201 and 202 of P.L.
14 106-554,”.~~

15 ~~**208.** Page 63, line 19: after “106-554” insert “, excluding sections 201 and 202
16 of P.L. 106-554”.~~

17 **209.** Page 64, line 9: delete the material beginning with that line and ending
18 with page 66, line 15.

19 **210.** Page 66, line 15: after that line insert:

20 “**SECTION 170pc.** 71.10 (3) (a) of the statutes is amended to read:

21 71.10 (3) (a) Every individual filing an income tax return who has a tax liability
22 or is entitled to a tax refund may designate \$1 \$5 for transfer to the Wisconsin
23 election campaign fund for the use of eligible candidates under s. 11.50. If the

1 individuals filing a joint return have a tax liability or are entitled to a tax refund,
2 each individual may make a designation of ~~\$1~~ \$5 under this subsection. Each
3 individual making a designation shall indicate whether the amount designated by
4 that individual shall be placed in the general account for the use of all eligible
5 candidates for state office, or in the account of an eligible political party whose name
6 is certified to the secretary of revenue under s. 11.50 (14). If an individual does not
7 indicate that the amount of his or her designation shall be placed in the account of
8 a particular eligible political party, that amount shall be placed in the general
9 account.

10 **SECTION 170pe.** 71.10 (3) (b) of the statutes is amended to read:

11 71.10 (3) (b) The secretary of revenue shall provide a place for these
12 designations under par. (a) on the face of the individual income tax return and shall
13 provide next to that place a statement that a designation will not increase tax
14 liability. ~~Annually on August 15~~ The secretary shall also provide and highlight a
15 place in the instructions that accompany the return for any information submitted
16 to the secretary by the elections board under s. 11.50 (2m) without cost to the board.
17 No later than the 15th day of each month, the secretary of revenue shall certify to
18 the elections board, the department of administration and the state treasurer ~~under~~
19 ~~s. 11.50~~ the total amount of designations made on returns processed by the
20 department of revenue during the preceding fiscal year month and the amount of
21 designations made during that month for the general account and for the account of
22 each eligible political party. If any individual attempts to place any condition or
23 restriction upon a designation not authorized under par. (a), that individual is
24 deemed not to have made a designation on his or her tax return.”

1 **211.** Page 66, line 18: delete the material beginning with that line and ending
2 with page 70, line 8.

3 ~~**212.** Page 67, line 2: on lines 2, 11, 18 and 22, after "106-554" insert "
4 excluding sections 201 and 202 of P.L. 106-554".~~

5 ~~**213.** Page 68, line 8: on lines 8, 17 and 24, after "106-554" insert "excluding
6 sections 201 and 202 of P.L. 106-554".~~

7 ~~**214.** Page 69, line 2: on lines 2, 12 and 21, after "106-554" insert "excluding
8 sections 201 and 202 of P.L. 106-554".~~

9 ~~**215.** Page 70, line 3: on lines 3, 7 and 17, after "106-554" insert "excluding
10 sections 201 and 202 of P.L. 106-554".~~

11 **216.** Page 70, line 17: delete "P.L. 106-554".

12 ~~**217.** Page 71, line 2: on lines 2, 8, 11 and 21, after "106-554" insert "
13 excluding sections 201 and 202 of P.L. 106-554".~~

14 **218.** Page 71, line 2: on lines 2, 8 and 11, delete "P.L. 106-554".

15 **219.** Page 71, line 21: delete "P.L. 106-554, P.L. 106-573".

16 ~~**220.** Page 72, line 6: on lines 6, 13 and 16, after "106-554" insert "excluding
17 sections 201 and 202 of P.L. 106-554".~~

18 **221.** Page 72, line 6: on lines 6, 13 and 16, delete "P.L. 106-554, P.L.
19 106-573".

20 **222.** Page 72, line 25: delete "P.L. 106-230, P.L. 106-519, P.L.".

21 ~~**223.** Page 73, line 1: on lines 1, 11, 18 and 21, after "106-554" insert "
22 excluding sections 201 and 202 of P.L. 106-554".~~

1 **224.** Page 73, line 1: delete “106-544, P.L. 106-573.”.

2 **225.** Page 73, line 11: delete “P.L. 106-230, P.L. 106-519, P.L. 106-554.”.

3 **226.** Page 73, line 12: delete “P.L. 106-573.”.

4 **227.** Page 73, line 17: delete “106-170, P.L. and substitute “106-170.”.

5 **228.** Page 73, line 18: delete that line and substitute “and P.L. 107-16,
6 excluding”.

7 **229.** Page 73, line 20: delete “P.L. 106-230.”.

8 **230.** Page 73, line 21: delete “P.L. 106-519, P.L. 106-554, P.L. 106-573.”.

9 **231.** Page 74, line 1: delete “and before January 1, 2001.”.

10 **232.** Page 74, line 5: on lines 5, 16, 23 and 25, after “106-554” insert “
11 excluding sections 201 and 202 of P.L. 106-554”.

12 **233.** Page 74, line 5: delete that line and substitute “amended by”.

13 **234.** Page 74, line 6: delete “and P.L.” and substitute “P.L.”.

14 **235.** Page 74, line 16: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.
15 106-554.”.

16 **236.** Page 74, line 17: delete “P.L. 106-573.”.

17 **237.** Page 74, line 21: delete “and before January 1, 2001.”.

18 **238.** Page 74, line 22: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.”.

19 **239.** Page 74, line 23: delete “106-554, P.L. 106-573, and”.

20 **240.** Page 74, line 25: delete that line and substitute “P.L.”.

21 **241.** Page 75, line 3: delete the material beginning with that line and ending
22 with page 77, line 2.

1 ~~242.~~ Page 75, line 21: after ~~"106-554"~~ insert ~~“, excluding sections 201 and 202~~
2 ~~of P.L. 106-554”.~~

3 ~~243.~~ Page 76, line 11: after ~~"104-188,"~~ insert ~~“sections 201 and 202 of P.L.~~
4 ~~106-554,”.~~

5 ~~244.~~ Page 76, line 22: after ~~"106-554"~~ insert ~~“, excluding sections 201 and 202~~
6 ~~of P.L. 106-554”.~~

7 **245.** Page 77, line 5: delete the material beginning with that line and ending
8 with page 80, line 14.

9 ~~246.~~ Page 77, line 14: on lines 14 and 22, after ~~"106-554"~~ insert ~~“, excluding~~
10 ~~sections 201 and 202 of P.L. 106-554”.~~

11 ~~247.~~ Page 78, line 4: on lines 4, 8 and 18, after ~~"106-554"~~ insert ~~“, excluding~~
12 ~~sections 201 and 202 of P.L. 106-554”.~~

13 ~~248.~~ Page 79, line 1: on lines 1, 7, 11 and 20, after ~~"106-554"~~ insert ~~“,~~
14 ~~excluding sections 201 and 202 of P.L. 106-554”.~~

15 ~~249.~~ Page 80, line 3: on lines 3, 9, 13 and 23, after ~~"106-554"~~ insert ~~“,~~
16 ~~excluding sections 201 and 202 of P.L. 106-554”.~~

17 **250.** Page 80, line 23: delete “P.L. 106-554.”.

18 ~~251.~~ Page 81, line 6: on lines 6, 12, 15 and 25, after ~~"106-554"~~ insert ~~“,~~
19 ~~excluding sections 201 and 202 of P.L. 106-554”.~~

20 **252.** Page 81, line 6: on lines 6, 12 and 15, delete “P.L. 106-554.”.

21 **253.** Page 81, line 25: delete “P.L. 106-554, P.L. 106-573.”.

22 ~~254.~~ Page 82, line 9: on lines 9, 15 and 18, after ~~"106-554"~~ insert ~~“, excluding~~
23 ~~sections 201 and 202 of P.L. 106-554”.~~

1 **255.** Page 82, line 9: on lines 9, 15 and 18, delete "PL. 106-554, P.L.
2 106-573.".

3 **256.** Page 83, line 3: delete "PL. 106-230, P.L.".

4 ~~**257.** Page 83, line 4: on lines 4, 13, 19 and 22, after "106-554" insert "
5 excluding sections 201 and 202 of P.L. 106-554".~~

6 **258.** Page 83, line 4: delete "106-519, P.L. 106-554, P.L. 106-573.".

7 **259.** Page 83, line 13: on lines 13, 19 and 22, delete "P.L. 106-230, P.L.
8 106-519, P.L. 106-554, P.L. 106-573.".

9 **260.** Page 84, line 1: delete the material beginning with "and" and ending
10 with "2001." on line 2.

11 ~~**261.** Page 84, line 7: on lines 7, 17, 23 and 25, after "106-554" insert "
12 excluding sections 201 and 202 of P.L. 106-554".~~

13 **262.** Page 84, line 7: delete that line and substitute "104-188, and as
14 amended by".

15 **263.** Page 84, line 8: delete "P.L. 106-573, and".

16 **264.** Page 84, line 16: delete "P.L. 106-200, P.L. 106-230.".

17 **265.** Page 84, line 17: delete "P.L. 106-519, P.L. 106-554, P.L. 106-573.".

18 **266.** Page 84, line 21: delete "and before January 1, 2001.".

19 **267.** Page 84, line 22: delete "P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.".

20 **268.** Page 84, line 23: delete "106-554, P.L. 106-573, and".

21 **269.** Page 84, line 25: delete that line and substitute "PL.".

1 **270.** Page 85, line 3: delete the material beginning with that line and ending
2 with page 86, line 24.

3 ~~**271.** Page 85, line 19: after “106-554” insert “, excluding sections 201 and 202
4 of P.L. 106-554”.~~

5 ~~**272.** Page 86, line 10: after “104-188,” insert “sections 201 and 202 of P.L.
6 106-554”.~~

7 ~~**273.** Page 86, line 19: after “106-554” insert “, excluding sections 201 and 202
8 of P.L. 106-554”.~~

9 **274.** Page 87, line 1: delete the material beginning with that line and ending
10 with page 89, line 8.

11 **275.** Page 89, line 11: delete the material beginning with that line and ending
12 with page 97, line 2.

13 ~~**276.** Page 89, line 21: after “106-554” insert “, excluding sections 201 and 202
14 of P.L. 106-554”.~~

15 ~~**277.** Page 90, line 3: on lines 3, 12 and 19, after “106-554” insert “, excluding
16 sections 201 and 202 of P.L. 106-554”.~~

17 ~~**278.** Page 91, line 7: on lines 7, 14 and 21, after “106-554” insert “, excluding
18 sections 201 and 202 of P.L. 106-554”.~~

19 ~~**279.** Page 92, line 1: on lines 1, 12 and 19, after “106-554” insert “, excluding
20 sections 201 and 202 of P.L. 106-554”.~~

21 ~~**280.** Page 93, line 2: on lines 2, 9 and 21, after “106-554” insert “, excluding
22 sections 201 and 202 of P.L. 106-554”.~~

1 ~~281.~~ Page 94, line 3: on lines 3, 9, 13 and 24, after "~~106-554~~" insert "
2 ~~excluding sections 201 and 202 of P.L. 106-554~~".

3 ~~282.~~ Page 95, line 7: on lines 7, 15 and 22, after "~~106-554~~" insert "~~excluding~~
4 ~~sections 201 and 202 of P.L. 106-554~~".

5 ~~283.~~ Page 96, line 9: on lines 9, 17 and 23, after "~~106-554~~" insert "~~excluding~~
6 ~~sections 201 and 202 of P.L. 106-554~~".

7 ~~284.~~ Page 97, line 1: on lines 1, 12 and 20, after "~~106-554~~" insert "~~excluding~~
8 ~~sections 201 and 202 of P.L. 106-554~~".

9 **285.** Page 97, line 12: on lines 12 and 20, delete "P.L. 106-554".

10 ~~286.~~ Page 98, line 4: on lines 4, 13 and 25, after "~~106-554~~" insert "~~excluding~~
11 ~~sections 201 and 202 of P.L. 106-554~~".

12 **287.** Page 98, line 4: on lines 4, 13 and 25, delete "P.L. 106-554".

13 ~~288.~~ Page 99, line 8: on lines 8, 14 and 17, after "~~106-554~~" insert "~~excluding~~
14 ~~sections 201 and 202 of P.L. 106-554~~".

15 **289.** Page 99, line 8: on lines 8, 14 and 17, delete "P.L. 106-554".

16 ~~290.~~ Page 100, line 3: on lines 3, 12 and 21, after "~~106-554~~" insert "~~excluding~~
17 ~~sections 201 and 202 of P.L. 106-554~~".

18 **291.** Page 100, line 3: on lines 3, 12 and 21, delete "P.L. 106-554, P.L.
19 106-573".

20 ~~292.~~ Page 101, line 5: on lines 5 and 18, after "~~106-554~~" insert "~~excluding~~
21 ~~sections 201 and 202 of P.L. 106-554~~".

22 **293.** Page 101, line 5: on lines 5 and 18, delete "P.L. 106-554, P.L. 106-573".

1 ~~294.~~ Page 102, line 2: on lines 2, 8, 11 and 22, after "~~106-554~~" insert "
2 ~~excluding sections 201 and 202 of P.L. 106-554~~".

3 **295.** Page 102, line 2: on lines 2, 8 and 11, delete "P.L. 106-554, P.L.
4 106-573.".

5 **296.** Page 102, line 21: delete "106-170, P.L." and substitute "106-170."

6 **297.** Page 102, line 22: delete that line and substitute "and P.L. 107-16,
7 excluding".

8 ~~298.~~ Page 103, line 6: on lines 6, 15 and 24, after "~~106-554~~" insert "~~excluding~~
9 ~~sections 201 and 202 of P.L. 106-554~~".

10 **299.** Page 103, line 6: on lines 6 and 15, delete "P.L. 106-230, P.L. 106-519,
11 P.L. 106-554, P.L. 106-573.".

12 **300.** Page 103, line 24: delete "P.L. 106-230, P.L. 106-519, P.L. 106-554.".

13 **301.** Page 103, line 25: delete "P.L. 106-573.".

14 **302.** Page 104, line 11: delete "P.L. 106-230, P.L. 106-519, P.L.".

15 ~~303.~~ Page 104, line 12: on lines 12 and 21, after "~~106-554~~" insert "~~excluding~~
16 ~~sections 201 and 202 of P.L. 106-554~~".

17 **304.** Page 104, line 12: delete "106-554, P.L. 106-573.".

18 **305.** Page 104, line 20: delete the material beginning with "P.L. 106-230" and
19 ending with "106-573." on line 21.

20 **306.** Page 105, line 1: delete "P.L. 106-230, P.L. 106-519.".

21 ~~307.~~ Page 105, line 2: on lines 2, 4, 16 and 25, after "~~106-554~~" insert "
22 ~~excluding sections 201 and 202 of P.L. 106-554~~".

- 1 **308.** Page 105, line 2: delete “P.L. 106-554, P.L. 106-573.”.
- 2 **309.** Page 105, line 4: delete “P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.”.
- 3 **310.** Page 105, line 5: delete “106-573.”.
- 4 **311.** Page 105, line 8: delete the material beginning with “and” and ending
5 with “2001.” on line 9.
- 6 **312.** Page 105, line 15: delete “P.L. 106-200, P.L. 106-230, P.L.”.
- 7 **313.** Page 105, line 16: delete “106-519, P.L. 106-554, P.L. 106-573, and”.
- 8 **314.** Page 105, line 25: delete that line and substitute “and P.L.”.
- 9 **315.** Page 106, line 8: delete “P.L. 106-200, P.L. 106-230.”.
- 10 ~~**316.** Page 106, line 9: on lines 9 and 18, after “106-554” insert “excluding~~
11 ~~sections 201 and 202 of P.L. 106-554”.~~
- 12 **317.** Page 106, line 9: delete “P.L. 106-519, P.L. 106-554, P.L. 106-573, and”.
- 13 **318.** Page 106, line 18: delete that line and substitute “and P.L.”.
- 14 ~~**319.** Page 107, line 5: on lines 5, 15, 20 and 23, after “106-554” insert “~~
15 ~~excluding sections 201 and 202 of P.L. 106-554”.~~
- 16 **320.** Page 107, line 5: delete that line and substitute “amended by”.
- 17 **321.** Page 107, line 6: delete “and P.L. 107-16” and substitute “P.L. 107-16”.
- 18 **322.** Page 107, line 14: delete “P.L. 106-200, P.L. 106-230.”.
- 19 **323.** Page 107, line 15: delete “P.L. 106-519, P.L. 106-554, P.L. 106-573.”.
- 20 **324.** Page 107, line 19: delete “and before January 1, 2001.”.
- 21 **325.** Page 107, line 20: delete that line and substitute “Revenue Code made
22 by”.

1 **326.** Page 107, line 21: delete "106-573, and".

2 **327.** Page 107, line 22: delete "P.L. 106-200.".

3 **328.** Page 107, line 23: delete that line and substitute "P.L. 107-16,
4 excluding".

5 **329.** Page 108, line 1: delete the material beginning with that line and ending
6 with page 112, line 25.

7 ~~**330.** Page 108, line 19: after "106-554" insert ", excluding sections 201 and
8 202 of P.L. 106-554".~~

9 ~~**331.** Page 109, line 11: after "106-554" insert ", excluding sections 201 and
10 202 of P.L. 106-554".~~

11 ~~**332.** Page 110, line 7: after "106-554" insert ", excluding sections 201 and 202
12 of P.L. 106-554".~~

13 ~~**333.** Page 110, line 24: after "104-188," insert "sections 201 and 202 of P.L.
14 106-554".~~

15 ~~**334.** Page 111, line 8: on lines 8 and 25, after "106-554" insert ", excluding
16 sections 201 and 202 of P.L. 106-554".~~

17 ~~**335.** Page 111, line 16: after "104-188," insert "sections 201 and 202 of P.L.
18 106-554,"~~

19 ~~**336.** Page 112, line 11: after "104-188," insert "sections 201 and 202 of P.L.
20 106-554,"~~

21 ~~**337.** Page 112, line 20: after "106-554" insert ", excluding sections 201 and
22 202 of P.L. 106-554".~~

1 **338.** Page 113, line 16: delete the material beginning with that line and
2 ending with page 117, line 10.

3 ~~**339.** Page 113, line 24: after "106-554" insert "excluding sections 201 and
4 202 of P.L. 106-554".~~

5 ~~**340.** Page 114, line 8: on lines 8, 18 and 22, after "106-554" insert "excluding
6 sections 201 and 202 of P.L. 106-554".~~

7 ~~**341.** Page 115, line 7: on lines 7, 16 and 25, after "106-554" insert "excluding
8 sections 201 and 202 of P.L. 106-554".~~

9 ~~**342.** Page 116, line 3: on lines 3, 13 and 22, after "106-554" insert "excluding
10 sections 201 and 202 of P.L. 106-554".~~

11 ~~**343.** Page 117, line 6: on lines 6, 9 and 18, after "106-554" insert "excluding
12 sections 201 and 202 of P.L. 106-554".~~

13 **344.** Page 117, line 18: delete "P.L. 106-554".

14 ~~**345.** Page 118, line 3: on lines 3, 11, 14 and 24, after "106-554" insert ".
15 excluding sections 201 and 202 of P.L. 106-554".~~

16 **346.** Page 118, line 3: on lines 3, 11 and 14, delete "P.L. 106-554".

17 **347.** Page 118, line 24: delete "P.L. 106-554, P.L. 106-573".

18 ~~**348.** Page 119, line 9: on lines 9, 18 and 21, after "106-554" insert "excluding
19 sections 201 and 202 of P.L. 106-554".~~

20 **349.** Page 119, line 9: delete "P.L. 106-554".

21 **350.** Page 119, line 10: delete "P.L. 106-573".

1 **351.** Page 119, line 18: on lines 18 and 21, delete "P.L. 106-554, P.L.
2 106-573.".

3 **352.** Page 120, line 6: delete "P.L. 106-230, P.L.".

4 ~~**353.** Page 120, line 7: on lines 7 and 18, after "106-554" insert "excluding
5 sections 201 and 202 of P.L. 106-554."~~

6 **354.** Page 120, line 7: delete "106-519, P.L. 106-554, P.L. 106-573.".

7 **355.** Page 120, line 17: delete "P.L. 106-230, P.L. 106-519.".

8 **356.** Page 120, line 18: delete "P.L. 106-554, P.L. 106-573.".

9 **357.** Page 120, line 25: delete "106-170, P.L." and substitute "106-170.".

10 ~~**358.** Page 121, line 1: on lines 1, 4, 18 and 24, after "106-554" insert ",
11 excluding sections 201 and 202 of P.L. 106-554."~~

12 **359.** Page 121, line 1: delete that line and substitute "and P.L. 107-16,
13 excluding".

14 **360.** Page 121, line 3: delete "P.L. 106-230.".

15 **361.** Page 121, line 4: delete "P.L. 106-519, P.L. 106-554, P.L. 106-573.".

16 **362.** Page 121, line 8: delete "and before January 1, 2001.".

17 **363.** Page 121, line 12: delete "P.L. 106-200, P.L. 106-230, P.L. 106-519,
18 P.L.".

19 **364.** Page 121, line 13: delete "106-554, P.L. 106-573.".

20 **365.** Page 121, line 23: delete "P.L. 106-200, P.L. 106-230, P.L. 106-519.".

21 **366.** Page 121, line 24: delete "P.L. 106-554, P.L. 106-573.".

22 **367.** Page 122, line 5: delete "and before January 1, 2001.".

1 **368.** Page 122, line 6: delete “PL. 106-200, PL. 106-230, PL. 106-519, P.L.”.

2 ~~**369.** Page 122, line 7: on lines 7 and 9, after “106-554” insert “, excluding~~
3 ~~sections 201 and 202 of P.L. 106-554”.~~

4 **370.** Page 122, line 7: delete “106-554, P.L. 106-573, and”.

5 **371.** Page 122, line 9: delete that line and substitute “and P.L.”.

6 **372.** Page 122, line 12: delete the material beginning with that line and
7 ending with page 124, line 14.

8 ~~**373.** Page 123, line 4: after “106-554” insert “, excluding sections 201 and 202~~
9 ~~of P.L. 106-554”.~~

10 ~~**374.** Page 123, line 21: after “104-188,” insert “sections 201 and 202 of P.L.~~
11 ~~106-554”.~~

12 ~~**375.** Page 124, line 7: after “106-554” insert “, excluding sections 201 and 202~~
13 ~~of P.L. 106-554”.~~

14 **376.** Page 125, line 19: delete the material beginning with that line and
15 ending with page 129, line 2.

16 ~~**377.** Page 126, line 2: on lines 2, 9, 17 and 21, after “106-554” insert “,~~
17 ~~excluding sections 201 and 202 of P.L. 106-554”.~~

18 ~~**378.** Page 127, line 5: on lines 5, 12, 20 and 24, after “106-554” insert “,~~
19 ~~excluding sections 201 and 202 of P.L. 106-554”.~~

20 ~~**379.** Page 128, line 7: on lines 7, 14 and 22, after “106-554” insert “, excluding~~
21 ~~sections 201 and 202 of P.L. 106-554”.~~

22 ~~**380.** Page 129, line 1: on lines 1, 10, 17 and 25, after “106-554” insert “,~~
23 ~~excluding sections 201 and 202 of P.L. 106-554”.~~

1 **381.** Page 129, line 10: on lines 10, 17 and 25, delete “P.L. 106-554.”

2 ~~**382.** Page 130, line 3: on lines 3, 12 and 20, after “106-554” insert “excluding~~
3 ~~sections 201 and 202 of P.L. 106-554.”~~

4 **383.** Page 130, line 3: delete “P.L. 106-554.”

5 **384.** Page 130, line 12: on lines 12 and 20, delete “P.L. 106-554, P.L.
6 106-573.”

7 ~~**385.** Page 131, line 3: on lines 3, 6, 14 and 23, after “106-554” insert “~~
8 ~~excluding sections 201 and 202 of P.L. 106-554”~~

9 **386.** Page 131, line 3: on lines 3 and 6, delete “P.L. 106-554, P.L. 106-573.”

10 **387.** Page 131, line 14: delete “P.L. 106-230, P.L. 106-519, P.L. 106-554.”

11 **388.** Page 131, line 15: delete “P.L. 106-573.”

12 **389.** Page 131, line 23: delete “P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.
13 106-573.”

14 **390.** Page 132, line 5: delete “P.L. 106-230, P.L. 106-519.”

15 ~~**391.** Page 132, line 6: on lines 6, 8 and 17, after “106-554” insert “excluding~~
16 ~~sections 201 and 202 of P.L. 106-554.”~~

17 **392.** Page 132, line 6: delete “P.L. 106-554, P.L. 106-573.”

18 **393.** Page 132, line 8: delete “P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.”

19 **394.** Page 132, line 9: delete “106-573.”

20 **395.** Page 132, line 12: delete the material beginning with “and” and ending
21 with “2001,” on line 13.

22 **396.** Page 132, line 17: delete that line and substitute “amended by”.

1 **397.** Page 132, line 18: delete “and P.L. 107–16” and substitute “P.L. 107–16”.

2 ~~**398.** Page 133, line 1 on lines 1, 9 and 11, after “106–554” insert “, excluding~~
3 ~~sections 201 and 202 of P.L. 106–554”.~~

4 **399.** Page 133, line 1: delete that line and substitute “and P.L.”.

5 **400.** Page 133, line 7: delete “and before January 1, 2001.”.

6 **401.** Page 133, line 8: delete “P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L.”.

7 **402.** Page 133, line 9: delete “106–554, P.L. 106–573, and”.

8 **403.** Page 133, line 11: delete that line and substitute “P.L.”.

9 **404.** Page 133, line 14: delete the material beginning with that line and
10 ending with page 135, line 9.

11 ~~**405.** Page 134, line 3: after “106–554” insert “, excluding sections 201 and 202~~
12 ~~of P.L. 106–554”.~~

13 ~~**406.** Page 134, line 20: after “104–188,” insert “sections 201 and 202 of P.L.~~
14 ~~106–554”.~~

15 ~~**407.** Page 135, line 3: after “106–554” insert “, excluding sections 201 and 202~~
16 ~~of P.L. 106–554”.~~

17 **408.** Page 135, line 24: delete the material beginning with that line and
18 ending with page 138, line 9.

19 **409.** Page 139, line 16: after that line insert:

20 “**SECTION 233b.** 74.48 of the statutes is repealed.

21 **SECTION 233d.** 74.485 of the statutes is created to read:

22 **74.485 Penalty for converting agricultural land. (1) DEFINITION.** In this
23 section, “agricultural land” has the meaning given in s. 70.32 (2) (c) 1.

1 (2) PENALTY. Except as provided in sub. (4), a person who owns land that has
2 been assessed as agricultural land under s. 70.32 (2r) and who converts the land's
3 use so that the land is not eligible to be assessed as agricultural land under s. 70.32
4 (2r), as determined by the assessor of the taxation district in which the land is
5 located, shall pay a penalty to the county in which the land is located in an amount,
6 calculated by the county treasurer, that is equal to the number of acres converted
7 multiplied by the amount of the difference between the average fair market value of
8 an acre of agricultural land sold in the county in the year before the year that the
9 person converts the land, as determined under sub. (3), and the average equalized
10 value of an acre of agricultural land in the county in the year before the year that the
11 person converts the land, as determined under sub. (3), multiplied by the following:

12 (a) Five percent, if the converted land is more than 30 acres.

13 (b) Seven and one-half percent, if the converted land is 30 acres or less but at
14 least 10 acres.

15 (c) Ten percent, if the converted land is less than 10 acres.

16 (3) VALUE DETERMINATION. Annually, the department of revenue shall
17 determine the average equalized value of an acre of agricultural land in each county
18 in the previous year, as provided under s. 70.57, and the average fair market value
19 of an acre of agricultural land sold in each county in the previous year based on the
20 sales in each county in the previous year of parcels of agricultural land that are 38
21 acres or more to buyers who intend to use the land as agricultural land.

22 (4) EXCEPTIONS AND DEFERRAL. (a) A person who owns land that has been
23 assessed as agricultural land under s. 70.32 (2r) and who converts the land's use so
24 that the land is not eligible to be assessed as agricultural land under s. 70.32 (2r) is

1 not subject to a penalty under sub. (2) if the amount of the penalty determined under
2 sub. (2) represents less than \$25 for each acre of converted land.

3 (b) If a person owes a penalty under sub. (2), the treasurer of the county in
4 which the person's land is located may defer payment of the penalty to the succeeding
5 taxable year if the person demonstrates to the assessor of the taxation district in
6 which the land is located that the person's land will be used as agricultural land in
7 the succeeding taxable year. A person who receives a deferral under this paragraph
8 is not subject to the penalty under sub. (2) related to the deferral, if the person's land
9 is used as agricultural land in the succeeding taxable year. If the land of a person
10 who receives a deferral under this paragraph is not used as agricultural land in the
11 succeeding taxable year, the person shall pay the penalty with interest at the rate
12 of 1% a month, or fraction of a month, from the date that the treasurer granted a
13 deferral to the date that the penalty is paid.

14 (5) PAYMENT. Except as provided in sub. (4), a person who owes a penalty under
15 sub. (2) shall pay the penalty to the county in which the person's land related to the
16 penalty is located no later than 30 days after the date that the penalty is assessed.
17 A penalty that is not paid on the date it is due is considered delinquent and shall be
18 paid with interest at the rate of 1% a month, or fraction of a month, from the date that
19 the penalty is assessed to the date that the penalty is paid. The county shall collect
20 an unpaid penalty as a special charge against the land related to the penalty.

21 (6) DISTRIBUTION. A county that collects a penalty under this section shall
22 distribute 50% of the amount of the penalty to the taxation district in which the land
23 related to the penalty is located. If the land related to the penalty is located in 2 or
24 more taxation districts, the county shall distribute 50% of the amount of the penalty
25 to the taxation districts in proportion to the equalized value of the land related to the

1 penalty that is located in each taxation district. A taxation district shall distribute
2 50% of any amount it receives under this subsection to an adjoining taxation district,
3 if the taxation district in which the land related to the penalty is located annexed the
4 land related to the penalty from the adjoining taxation district in either of the 2 years
5 preceding a distribution under this subsection.

6 (7) NOTICE. A person who owns land that has been assessed as agricultural land
7 under s. 70.32 (2r) and who sells the land shall notify the buyer of the land of all of
8 the following:

9 (a) That the land has been assessed as agricultural land under s. 70.32 (2r).

10 (b) Whether the person who owns the land and who is selling the land has been
11 assessed a penalty under sub. (2) related to the land.

12 (c) Whether the person who owns the land and who is selling the land has been
13 granted a deferral under sub. (4) related to the land.

14 (8) TAXATION DISTRICT ASSESSOR. The assessors of the taxation districts located
15 in the county shall inform the county treasurer and the real property lister of all sales
16 of agricultural land located in the county.

17 (9) ADMINISTRATION. The county in which the land as described in sub. (1) is
18 located shall administer the penalty under this section.”.

19 **410.** Page 139, line 16: after that line insert:

20 “SECTION 232f. 71.93 (1) (a) 3. of the statutes, as affected by 2001 Wisconsin
21 Act 16, is amended to read:

22 71.93 (1) (a) 3. An amount that the department of health and family services
23 may recover under s. ~~49.45 (2) (a) 10.~~ or 49.497, if the department of health and
24 family services has certified the amount under s. 49.85.”.

1 **411.** Page 139, line 16: after that line insert:

2 “**SECTION 233b.** 77.52 (2) (a) 5. of the statutes is renumbered 77.52 (2) (a) 5. a.
3 and amended to read:

4 77.52 (2) (a) 5. a. The sale of telecommunications services, except services
5 subject to 4 USC 116 to 126, as amended by P.L. 106–252, that either originate or
6 terminate in this state; except services that are obtained by means of a toll-free
7 number, that originate outside this state and that terminate in this state; and are
8 charged to a service address in this state, regardless of the location where that charge
9 is billed or paid; and the sale of the rights to purchase telecommunications services,
10 including purchasing reauthorization numbers, by paying in advance and by using
11 an access number and authorization code, except sales that are subject to subd. 5. b.

12 **SECTION 233d.** 77.52 (2) (a) 5. b. of the statutes is created to read:

13 77.52 (2) (a) 5. b. The sale of services subject to 4 USC 116 to 126, as amended
14 by P.L. 106–252, if the customer’s place of primary use of the services is in this state,
15 as determined under 4 USC 116 to 126, as amended by P.L. 106–252. For purposes
16 of this subd. 5. b., all of the provisions of 4 USC 116 to 126, as amended by P.L.
17 106–252, are adopted, except that if 4 USC 116 to 126, as amended by P.L. 106–252,
18 or the application of 4 USC 116 to 126, as amended by P.L. 106–252, is found
19 unconstitutional the sale of telecommunications services is subject to the tax
20 imposed under this section as provided in subd. 5. a.

21 **SECTION 233f.** 77.52 (3m) (intro.) of the statutes is amended to read:

22 77.52 (3m) (intro.) In regard to the sale of the rights to purchase
23 telecommunications services under sub. (2) (a) 5. a.:

24 **SECTION 233h.** 77.52 (3n) of the statutes is created to read:

1 **77.52 (3n)** In regard to the sale of the rights to purchase telecommunications
2 services under sub. (2) (a) 5. b., the situs of the sale is as determined under 4 USC
3 116 to 126, as amended by P.L. 106–252.

4 **SECTION 233j.** 77.525 of the statutes is amended to read:

5 **77.525 Reduction to prevent double taxation.** Any person who is subject
6 to the tax under s. 77.52 (2) (a) 5. a. on telecommunications services that terminate
7 in this state and who has paid a similar tax on the same services to another state may
8 reduce the amount of the tax remitted to this state by an amount equal to the similar
9 tax properly paid to another state on those services or by the amount due this state
10 on those services, whichever is less. That person shall refund proportionally to the
11 persons to whom the tax under s. 77.52 (2) (a) 5. a. was passed on an amount equal
12 to the amounts not remitted.

13 **SECTION 233k.** 77.54 (46m) of the statutes is created to read:

14 **77.54 (46m)** The gross receipts from the sale of and the storage, use, or other
15 consumption of telecommunications services, if the telecommunications services are
16 obtained by using the rights to purchase telecommunications services, including
17 purchasing reauthorization numbers, by paying in advance and by using an access
18 number and authorization code; and if the tax imposed under s. 77.52 or 77.53 was
19 previously paid on the sale or purchase of such rights.

20 **SECTION 233L.** 77.72 (3) (b) of the statutes is amended to read:

21 **77.72 (3) (b) Exceptions.** ~~Communication~~ A communication service has a situs
22 where the customer is billed for the service if the customer calls collect or pays by
23 credit card. Services subject to s. 77.52 (2) (a) 5. b. have a situs at the customer's place
24 of primary use of the services, as determined under 4 USC 116 to 126, as amended
25 by P.L. 106–252. Towing services have a situs at the location to which the vehicle is

1 delivered. Services performed on tangible personal property have a situs at the
2 location where the property is delivered to the buyer.”.

3 **412.** Page 139, line 17: delete the material beginning with that line and
4 ending with page 153, line 25.

5 **413.** Page 153, line 25: after that line insert:

6 “SECTION 258pr. 84.013 (1) (a) (intro.) of the statutes is amended to read:

7 84.013 (1) (a) (intro.) “Major highway project” means a project, except a project
8 providing an approach to a bridge over a river that forms a boundary of the state or
9 a southeast Wisconsin freeway rehabilitation project under s. 84.014, which has a
10 total cost of more than \$5,000,000 and which involves any of the following:

11 SECTION 258ps. 84.013 (2) of the statutes, as affected by 2001 Wisconsin Act
12 16, is amended to read:

13 84.013 (2) (a) Subject to ~~s. ss. 84.555 and~~ 86.255, major highway projects shall
14 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
15 20.866 (2) (ur) to ~~(uu)~~ (uum).

16 (b) Except as provided in ss. 84.014 ~~and~~, 84.03 (3), ~~and~~ 84.555, and subject to
17 s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be
18 funded from the appropriations under s. 20.395 (3) (cq) to (cx).

19 SECTION 258pt. 84.014 (2) of the statutes, as created by 2001 Wisconsin Act 16,
20 is amended to read:

21 84.014 (2) ~~Notwithstanding s. 84.013 and subject~~ Subject to s. ss. 84.555 and
22 86.255, any southeast Wisconsin freeway rehabilitation projects, including the
23 Marquette interchange reconstruction project and projects that involve adding one
24 or more lanes 5 miles or more in length to the existing freeway, may be funded only

1 from the appropriations under s. ss. 20.395 (3) (cr), (cw), and (cy) and 20.866 (2)
2 (uum).

3 **SECTION 258pu.** 84.014 (5m) of the statutes is created to read:

4 84.014 (5m) (a) Notwithstanding any other provision of this section, the
5 department may not expend any moneys from the appropriations under s. 20.395 (3)
6 (cr), (cw), and (cy) for a southeast Wisconsin freeway rehabilitation project that
7 involves adding one or more lanes 5 miles or more in length to the existing freeway
8 unless the project is specifically enumerated in a list under par. (b).

9 (b) The department may proceed with the following southeast Wisconsin
10 freeway rehabilitation projects:

11 1. No projects are enumerated under this paragraph as of the effective date of
12 this subdivision [revisor inserts date].

13 **SECTION 258pv.** 84.03 (2) (c) of the statutes is amended to read:

14 84.03 (2) (c) After receiving a plan under par. (b) 1., the cochairpersons of the
15 joint committee on finance jointly shall determine whether the plan is complete. If
16 the joint committee on finance meets and either approves or modifies and approves
17 a plan submitted under par. (b) 1. within 14 days after the cochairpersons determine
18 that the plan is complete, the secretary shall implement the plan as approved by the
19 committee. If the joint committee on finance does not meet and either approve or
20 modify and approve a plan submitted under par. (b) 1. within 14 days after the
21 cochairpersons determine that the plan is complete, the secretary shall implement
22 the proposed plan. If the joint committee on finance approves a plan under s. 84.555
23 for a state fiscal year, the joint committee on finance may modify a plan implemented
24 under this paragraph for that fiscal year.

25 **SECTION 258pw.** 84.555 of the statutes is created to read:

1 **84.555 Additional funding of major highway and rehabilitation**
2 **projects. (1)** Notwithstanding ss. 84.51 and 84.59, major highway projects, as
3 defined under s. 84.013 (1) (a), for the purposes of ss. 84.06 and 84.09, southeast
4 Wisconsin freeway rehabilitation projects under s. 84.014, and state highway
5 rehabilitation projects for the purposes specified in s. 20.395 (3) (cq), may be funded
6 with the proceeds of general obligation bonds issued under s. 20.866 (2) (uum) if all
7 of the following conditions are satisfied:

8 (a) The department's most recent estimate of the amount of federal funds, as
9 defined in s. 84.03 (2) (a) 1., that the department will be appropriated under s. 20.395
10 in the current state fiscal year is less than 95% of the amount of federal funds shown
11 in the schedule, as defined in s. 84.03 (2) (a) 2., for the appropriations under s. 20.395
12 in that fiscal year.

13 (b) The secretary has submitted a plan to the joint committee on finance for the
14 use of proceeds of general obligation bonds issued under s. 20.866 (2) (uum) and the
15 joint committee on finance has approved the plan, except that the secretary may not
16 submit, and the joint committee on finance may not approve, a plan for the use of an
17 amount of proceeds of general obligation bonds that exceeds the difference between
18 the amount of federal funds, as defined in s. 84.03 (2) (a) 1., actually available to the
19 department to be appropriated under s. 20.395 in the current state fiscal year and
20 the amount of federal funds shown in the schedule, as defined in s. 84.03 (2) (a) 2.,
21 for the appropriations under s. 20.395 in that fiscal year.

22 (2) The joint committee on finance may approve, or modify and approve, a plan
23 received under sub. (1) (b) using the procedure specified in s. 84.03 (2) (c). No plan
24 submitted under sub. (1) (b) may be implemented unless the joint committee on
25 finance has approved, or modified and approved, the plan.

1 (3) The secretary may submit a plan under sub. (1) (b) at any time during a
2 state fiscal year after the condition specified in sub. (1) (a) is satisfied for that fiscal
3 year.”.

4 **414.** Page 153, line 25: after that line insert:

5 “**SECTION 258dd.** 84.013 (4) (b) of the statutes is amended to read:

6 84.013 (4) (b) The department may not, within any 6–year period, construct a
7 highway project consisting of separate contiguous projects which do not individually
8 qualify as major highway projects but which in their entirety would constitute a
9 major highway project without first submitting the project to the transportation
10 projects commission for its recommendations and report and without specific
11 authorization under sub. (3), except as provided in par. (c) and sub. (6) and s. 84.014
12 (2m).

13 **SECTION 258dg.** 84.014 (1) (c) of the statutes, as created by 2001 Wisconsin Act
14 16, is amended to read:

15 84.014 (1) (c) “Reconstruction” means the rebuilding of highways and bridges,
16 including improvements to enhance highway safety, design, or capacity. The term
17 includes activities associated with such rebuilding, including design engineering,
18 traffic mitigation, property acquisition, and utility facility relocation and, with
19 respect to the Marquette interchange reconstruction project, includes the
20 construction or reconstruction of alternate routes for purposes of traffic mitigation.

21 The term does not include interim repairs.

22 **SECTION 258dj.** 84.014 (2m) of the statutes is created to read:

1 84.014 (2m) Notwithstanding s. 84.013 (4) (b), the Marquette interchange
2 reconstruction project may include construction that consists of extending STH 794
3 in Milwaukee County as an alternate route for purposes of traffic mitigation.”.

4 **415.** Page 153, line 25: after that line insert:

5 “**SECTION 257m.** 84.185 (3m) of the statutes is created to read:

6 84.185 (3m) REVIEW OF APPLICATIONS. The department shall accept, review, and
7 make determinations on applications for assistance under this section on a
8 continuing, year-round basis. The department shall make a determination on each
9 application for assistance under this section within a reasonable time after its
10 receipt by the department.”.

11 **416.** Page 153, line 25: after that line insert:

12 “**SECTION 257bd.** 79.097 of the statutes is created to read:

13 **79.097 Consolidation and annexation aid.** Beginning with distributions
14 in 2004, municipalities that consolidate shall receive a payment in each of the 3 years
15 following the date on which the consolidation is certified and a town from which
16 territory is annexed shall receive a payment in each of the 3 years following the date
17 on which the annexation takes effect. The department of revenue shall promulgate
18 rules to administer this section.”.

19 **417.** Page 153, line 25: after that line insert:

20 “**SECTION 258m.** 85.12 (3) of the statutes, as affected by 2001 Wisconsin Act 16,
21 is amended to read:

22 85.12 (3) The department may contract with any local governmental unit, as
23 defined in s. ~~22.01~~ 16.97 (7), to provide that local governmental unit with services
24 under this section.”.

1 **418.** Page 153, line 25: after that line insert:

2 “**SECTION 258r.** 84.02 (15) of the statutes is created to read:

3 **84.02 (15) TRAFFIC CONTROL SIGNAL EMERGENCY PREEMPTION DEVICES.** (a) In this
4 subsection:

5 1. “Additional cost” means the difference in cost between installation of a traffic
6 control signal that is equipped with an emergency preemption device and
7 confirmation signal and installation of a traffic control signal that is not so equipped,
8 and includes the difference in incidental costs such as electrical wiring.

9 2. “Authorized emergency vehicle” has the meaning given in s. 340.01 (3) (a),
10 (c), (g), or (i).

11 3. “Confirmation signal” means a white signal, located on or near a traffic
12 control signal equipped with an emergency preemption device, that is designed to be
13 visible to the operator of an approaching authorized emergency vehicle and that
14 confirms to the operator that the emergency preemption device has received a
15 transmission from the operator.

16 4. “Emergency preemption device” means an electrical device, located on or
17 within a traffic control signal, that is designed to receive an electronic, radio, or sonic
18 transmission from an approaching authorized emergency vehicle that alters the
19 normal sequence of the traffic control signal to provide or maintain a green signal for
20 the authorized emergency vehicle to proceed through the intersection.

21 5. “Political subdivision” means a county, city, village, or town.

22 6. “Traffic control signal” means any electrical device by which traffic is
23 alternately directed to stop and permitted to proceed by means of exhibiting different
24 colored lights successively.

1 (b) Before the department installs a new traffic control signal on a state trunk
2 highway within the corporate limits of any political subdivision, the department
3 shall do all of the following:

4 1. Notify the political subdivision of the planned traffic control signal
5 installation.

6 2. Notify the political subdivision of the additional cost of equipping the traffic
7 control signal with an emergency preemption device and confirmation signal.

8 3. Provide the political subdivision with the opportunity to request that the
9 traffic control signal be equipped with an emergency preemption device and
10 confirmation signal.

11 (c) If any political subdivision requests under par. (b) 3. that the department
12 equip the traffic control signal with an emergency preemption device and
13 confirmation signal, and one or more political subdivisions contributes a total of 50%
14 of the additional cost specified under par. (b) 2., the department shall equip the traffic
15 control signal with an emergency preemption device and confirmation signal when
16 the department installs the traffic control signal.

17 (d) Notwithstanding pars. (b) and (c), this subsection does not prohibit the
18 department from installing on any state trunk highway, at the department's
19 expense, any traffic control signal equipped with an emergency preemption device
20 and confirmation signal. The department may install a new traffic control signal
21 equipped with an emergency preemption device and confirmation signal under this
22 paragraph without providing notice and an opportunity to respond under par. (b) to
23 any political subdivision. The department shall install a confirmation signal with
24 every new emergency preemption device installed by the department under this
25 paragraph.

1 (e) Any new traffic control signal installed by the department after the effective
2 date of this paragraph [revisor inserts date], that is not equipped with an
3 emergency preemption device shall include all electrical wiring necessary to equip
4 the traffic control signal with an emergency preemption device and confirmation
5 signal.

6 (f) The department shall promulgate rules to implement and administer this
7 subsection. The rules shall include procedures and deadlines for the department's
8 notification of political subdivisions, and for political subdivisions' requests and
9 contributions to the department, under this subsection.

10 **SECTION 258x.** 85.07 (7) (c) of the statutes is created to read:

11 85.07 (7) (c) Notwithstanding par. (b), the department shall, in each fiscal year,
12 expend federal funds available under 23 USC 152 for hazard elimination projects
13 that reduce the response time of emergency vehicles regardless of reduction in motor
14 vehicle accidents.”.

15 **419.** Page 154, line 4: after that line insert:

16 “**SECTION 259cd.** 88.11 (1) (intro.) of the statutes is amended to read:

17 88.11 (1) (intro.) The department of ~~agriculture, trade and consumer protection~~
18 natural resources shall employ an engineer, who shall be the state drainage engineer,
19 to improve district operations. The department shall do all of the following:

20 **SECTION 259ce.** 88.11 (1) (e) of the statutes is repealed.

21 **SECTION 259cf.** 88.11 (1) (i) of the statutes is amended to read:

22 88.11 (1) (i) Establish, by rule, performance standards for drainage district
23 structures, ditches, maintenance and operations, in order to minimize adverse

1 effects on water quality. The performance standards shall be consistent with any
2 requirements imposed by the department of natural resources under s. 88.31.

3 **SECTION 259cg.** 88.11 (1m) of the statutes is amended to read:

4 88.11 (1m) The department of ~~agriculture, trade and consumer protection~~
5 natural resources may perform any functions related to drainage districts that the
6 department considers appropriate.

7 **SECTION 259ch.** 88.11 (2) of the statutes is amended to read:

8 88.11 (2) The state drainage engineer shall provide technical assistance to
9 improve district operations on the request of the ~~department of natural resources,~~
10 drainage board, landowners in the district or the judge.

11 **SECTION 259ci.** 88.11 (3) (intro.) of the statutes is amended to read:

12 88.11 (3) (intro.) If the area proposed for drainage exceeds 200 acres in a single
13 project, the board or the petitioners, before the hearing on the report under s. 88.34,
14 88.36 or 88.77, shall procure a report of the department of ~~agriculture, trade and~~
15 ~~consumer protection~~ natural resources on all of the following:

16 **SECTION 259cim.** 88.11 (4) of the statutes is amended to read:

17 88.11 (4) The board or the petitioners, with the aid of an engineer having the
18 qualifications specified in s. 88.21 (5), shall make the necessary survey and
19 evaluation as directed by the department of ~~agriculture, trade and consumer~~
20 ~~protection~~ natural resources for its report.

21 **SECTION 259cj.** 88.11 (5) (intro.) of the statutes is amended to read:

22 88.11 (5) (intro.) The report of the department of ~~agriculture, trade and~~
23 ~~consumer protection~~ natural resources under sub. (3) also shall include a report of
24 the college of agriculture and life sciences of the University of Wisconsin–Madison
25 on all of the following:

1 **SECTION 259ck.** 88.11 (6) of the statutes is amended to read:

2 88.11 (6) A drainage district shall comply with the rules promulgated under
3 this section and any requirements imposed by the department of agriculture, trade
4 and consumer protection natural resources under this section.

5 **SECTION 259cL.** 88.11 (7) of the statutes is amended to read:

6 88.11 (7) The department of agriculture, trade and consumer protection
7 natural resources may issue a special order directing the immediate cessation of
8 work regulated under this section until the necessary plan approval is obtained or
9 until the project complies with this section.

10 **SECTION 259cn.** 88.13 of the statutes is amended to read:

11 **88.13 Right to enter lands of drainage district.** Whenever necessary for
12 any purpose connected with the organization of a district or the construction,
13 maintenance or repair of drains and other works, members of the board,
14 representatives of the department of agriculture, trade and consumer protection
15 natural resources, and persons intending to bid on or to whom contracts have been
16 let for the construction of the works within a district and their respective agents and
17 employees may go upon any lands proposed for inclusion or included within a district
18 or on adjoining lands, and are not guilty of trespass therefor but are liable for
19 unnecessary damage caused to crops or structures.

20 **SECTION 259cp.** 88.15 of the statutes is amended to read:

21 **88.15 Drainage board grants. (1)** From the appropriation under s. 20.115
22 (7) (d) 20.370 (6) (dd), the department of agriculture, trade and consumer protection
23 natural resources shall make grants to boards to assist boards to comply with this
24 chapter and rules promulgated under this chapter. A grant under this section may

1 not exceed 60% of the costs incurred by the board to comply with this chapter and
2 rules promulgated under this chapter.

3 (2) The department of ~~agriculture, trade and consumer protection~~ natural
4 resources shall promulgate rules for the administration of the program under this
5 section.

6 (3) The department of ~~agriculture, trade and consumer protection~~ natural
7 resources may not make grants under this section after June 30, 2006.

8 **SECTION 259cq.** 88.19 (4) (a) (intro.) of the statutes is amended to read:

9 88.19 (4) (a) (intro.) Subject to pars. (b) and (d), and subject to criteria and
10 standards under rules that the department of ~~agriculture, trade and consumer~~
11 ~~protection~~ natural resources shall promulgate, all of the following shall occur:

12 **SECTION 259cr.** 88.19 (4) (d) of the statutes is amended to read:

13 88.19 (4) (d) Before any records may be destroyed under this subsection, the
14 secretary of the drainage board and the county zoning administrator shall give at
15 least 60 days' prior written notice of the proposed destruction to the state historical
16 society, which may preserve records that it determines to be of historical interest, and
17 shall give at least 60 days' prior written notice to the state drainage engineer, who
18 may preserve records determined to be of interest to the department of ~~agriculture,~~
19 ~~trade and consumer protection~~ natural resources.

20 **SECTION 259cs.** 88.21 (5) of the statutes is amended to read:

21 88.21 (5) Employ legal counsel, engineers and other assistants. Any engineer
22 employed by the board shall be selected from a list of professional engineers approved
23 by the department of ~~agriculture, trade and consumer protection~~ natural resources.

24 The department of ~~agriculture, trade and consumer protection~~ natural resources
25 shall furnish each drainage board, upon request, a list of professional engineers

1 whom it considers qualified by training and experience to give competent advice in
2 drainage matters.

3 **SECTION 259ct.** 88.24 (intro.) of the statutes is amended to read:

4 **88.24 Board to file annual report.** (intro.) On or before December 1 of each
5 year the board shall file with the department of ~~agriculture, trade and consumer~~
6 ~~protection~~ natural resources and the county zoning administrator a separate report,
7 for the preceding year ending August 31, on each drainage district under the board's
8 jurisdiction. The reports shall constitute part of the records of the districts reported
9 on, shall be verified by the oath of one or more of the board members, and shall
10 contain:

11 **SECTION 259cu.** 88.32 (3m) of the statutes is amended to read:

12 **88.32 (3m)** If the area of the proposed district exceeds 200 acres, the report
13 shall be submitted to the department of ~~agriculture, trade and consumer protection~~
14 ~~natural resources~~ before it is filed with the court. Within 45 days after receipt of the
15 report, the department shall return it with a copy of the report prepared under s.
16 88.11 (3) and (5) with its recommendation for approval or disapproval for the creation
17 of the district.

18 **SECTION 259cv.** 88.35 (7) of the statutes is amended to read:

19 **88.35 (7)** If the area of the district exceeds 200 acres, the report shall be
20 submitted to the department of ~~agriculture, trade and consumer protection~~ natural
21 resources. Within 45 days after its receipt, the department shall return it with a copy
22 of the report prepared under s. 88.11 (3) and (5) and the department's approval or
23 disapproval of the report prepared under sub. (6).

24 **SECTION 259cw.** 88.77 (2) of the statutes is amended to read:

1 88.77 (2) If the undrained portion of the area proposed to be annexed to the
2 district exceeds 200 acres, the drainage board shall request the report described
3 under s. 88.11 (3) and (5) from the department of ~~agriculture, trade and consumer~~
4 ~~protection~~ natural resources on the annexation. Within 60 days after the request,
5 the department shall prepare and return a copy of the report and its approval or
6 disapproval, as provided under s. 88.35 (7).

7 **SECTION 259ec.** 92.03 (2) of the statutes is amended to read:

8 92.03 (2) “Board” means the land and water conservation board ~~created under~~
9 ~~s. 15.135 (4).~~

10 **SECTION 259ee.** 92.03 (3) of the statutes is amended to read:

11 92.03 (3) “Department” means the department of ~~agriculture, trade and~~
12 ~~consumer protection~~ natural resources.

13 **SECTION 259ei.** 92.04 (2) (e) of the statutes is amended to read:

14 92.04 (2) (e) *Review joint evaluation plan.* The board shall review the
15 evaluation plan prepared under s. 92.14 (13). After its review, the board shall make
16 recommendations on the plan to the department ~~and to the department of natural~~
17 ~~resources.~~

18 **SECTION 259ek.** 92.05 (1) of the statutes is amended to read:

19 92.05 (1) **CENTRAL AGENCY.** The department is the central agency of this state
20 responsible for setting and implementing statewide soil and water conservation
21 policies and administering the state’s soil and water conservation programs. The
22 department shall coordinate its soil and water conservation program with the
23 nonpoint source water pollution abatement program established under s. 281.65, the
24 inland lake protection and rehabilitation program established under ch. 33 and other

1 programs with objectives related to soil and water conservation administered by the
2 department of natural resources or by other state or federal agencies.

3 **SECTION 259en.** 92.05 (3) (f) of the statutes is repealed.

4 **SECTION 259ep.** 92.05 (3) (L) of the statutes is amended to read:

5 92.05 (3) (L) *Technical assistance; performance standards.* The department
6 shall provide technical assistance to county land conservation committees and local
7 units of government for the development of ordinances that implement standards
8 adopted under s. 92.07 (2), 92.105 (1), ~~92.15 (2) or (3)~~ or 281.16 (3). The department's
9 technical assistance shall include preparing model ordinances, providing data
10 concerning the standards and reviewing draft ordinances to determine whether the
11 draft ordinances comply with applicable statutes and rules.

12 **SECTION 259fd.** 92.10 (1) of the statutes is amended to read:

13 92.10 (1) CREATION. There is created a land and water resource management
14 planning program. The department, board and land conservation committees jointly
15 shall develop and administer this program. The department shall consult with the
16 University of Wisconsin–Extension about the administration of this program.

17 **SECTION 259fi.** 92.10 (4) (c) of the statutes is renumbered 92.10 (7) and
18 amended to read:

19 92.10 (7) PLAN ASSISTANCE. The department University of
20 Wisconsin–Extension shall assist land conservation committees in preparing land
21 and water resource management plans.

22 **SECTION 259fn.** 92.10 (5) (b) of the statutes is amended to read:

23 92.10 (5) (b) *Solicit comments.* The board shall solicit comments on land
24 conservation committee plans from the agencies identified as advisers to the board
25 under s. ~~15.135~~ 15.345 (4).

1 **SECTION 259fp.** 92.10 (6) (a) 1. of the statutes is amended to read:

2 92.10 (6) (a) 1. Includes an assessment of water quality and soil erosion
3 conditions throughout the county, including any assessment available from the
4 department of ~~natural resources~~.

5 **SECTION 259ft.** 92.10 (8) of the statutes is amended to read:

6 92.10 (8) DUTIES OF THE DEPARTMENT OF ~~NATURAL RESOURCES~~. The department
7 of ~~natural resources~~ shall provide counties with assistance in land and water
8 resource management planning, including providing available water quality data
9 and information, providing training and support for water resource assessments and
10 appraisals and providing related program information.

11 **SECTION 259hc.** 92.14 (2) (j) of the statutes is repealed.

12 **SECTION 259he.** 92.14 (3) (intro.) of the statutes is amended to read:

13 92.14 (3) BASIC ALLOCATIONS TO COUNTIES. (intro.) To help counties fund their
14 land and water conservation activities, the department shall award an annual grant
15 from the appropriation under s. ~~20.115 (7) (e)~~ 20.370 (6) (ac) or ~~(ed)~~ (as) or s. 20.866
16 (2) (we) to any county land conservation committee that has a land and water
17 resource management plan approved by ~~the department~~ under s. 92.10 (4) (d), and
18 that, by county board action, has resolved to provide any matching funds required
19 under sub. (5g). The county may use the grant for land and water resource
20 management planning and for any of the following purposes, consistent with the
21 approved land and water resource management plan:

22 **SECTION 259hg.** 92.14 (6) (b) of the statutes is amended to read:

23 92.14 (6) (b) The department ~~and the department of natural resources~~ shall
24 prepare an annual grant allocation plan identifying the amounts to be provided to
25 counties under this section and ss. 281.65 and 281.66. In the allocation plan, the

1 ~~departments~~ department shall attempt to provide funding under this section for an
2 average of 3 staff persons per county with full funding for the first staff person, 70%
3 funding for the 2nd staff person and 50% funding for any additional staff persons and
4 to provide an average of \$100,000 per county for cost-sharing grants. The
5 department shall submit that plan to the board.

6 **SECTION 259hi.** 92.14 (6) (d) of the statutes is amended to read:

7 92.14 (6) (d) The board shall review the annual allocation plan submitted to
8 it under par. (b) and make recommendations to the department of agriculture, trade
9 ~~and consumer protection and the department of natural resources~~ on approval,
10 modification or disapproval of the plan.

11 **SECTION 259hk.** 92.14 (6) (h) 3. of the statutes is amended to read:

12 92.14 (6) (h) 3. Nothing in this paragraph affects the authority of the
13 department of ~~natural resources~~ to act under ch. 283.

14 **SECTION 259hm.** 92.14 (6) (m) of the statutes is amended to read:

15 92.14 (6) (m) The department of ~~agriculture, trade and consumer protection~~
16 ~~and the department of natural resources~~ and the University of Wisconsin-Extension
17 shall assist counties in conducting the activities for which grants under sub. (3) may
18 be used.

19 **SECTION 259hn.** 92.14 (6) (n) of the statutes is created to read:

20 92.14 (6) (n) The University of Wisconsin-Extension shall assist the
21 department in the administration of the program under this section.

22 **SECTION 259hp.** 92.14 (8) of the statutes is amended to read:

23 92.14 (8) RULES. ~~In consultation with the department of natural resources, the~~
24 The department shall promulgate rules to administer this section ~~and the~~
25 ~~department's duties under s. 281.65.~~

1 **SECTION 259hq.** 92.14 (12) of the statutes is amended to read:

2 92.14 (12) ANNUAL REPORT. Annually, the department, ~~in cooperation with the~~
3 ~~department of natural resources,~~ shall submit a report on the progress of the
4 program under this section and s. 281.65 to the board.

5 **SECTION 259hr.** 92.14 (13) of the statutes is amended to read:

6 92.14 (13) EVALUATION PLAN. The department, ~~jointly with the department of~~
7 ~~natural resources,~~ shall prepare a plan, which includes water quality monitoring and
8 analysis, for evaluating the program administered under this section and s. 281.65
9 and submit the plan to the board. The board shall make recommendations to the
10 department ~~and the department of natural resources~~ on the plan. The department
11 shall review and ~~approve or disapprove~~ decide whether to modify the plan and shall
12 notify the board of its final action on the plan. The department shall implement ~~any~~
13 ~~part of the plan for which the plan gives it responsibility.~~

14 **SECTION 259ht.** 92.14 (14) of the statutes is amended to read:

15 92.14 (14) APPLICATION, ALLOCATION, REPORTING AND EVALUATION. The
16 department, ~~jointly with the department of natural resources,~~ shall develop a single
17 set of grant application, reporting and evaluation forms for use by counties receiving
18 grants under this section and ss. 281.65 and 281.66. The department, ~~jointly with~~
19 ~~the department of natural resources,~~ shall implement a single process for grant
20 application, funding allocation, reporting and evaluation for counties receiving
21 grants under this section and ss. 281.65 and 281.66.

22 **SECTION 259hv.** 92.14 (14m) of the statutes is amended to read:

23 92.14 (14m) COORDINATION. The department ~~of agriculture, trade and~~
24 ~~consumer protection and the department of natural resources,~~ jointly, shall review
25 applications from counties for grants under sub. (5r) and, for projects and activities

1 selected to receive funding shall determine whether to provide funding under this
2 section or under s. 281.65 or 281.66.

3 **SECTION 259hw.** 92.14 (15) of the statutes is repealed.

4 **SECTION 259hx.** 92.15 of the statutes is renumbered 93.38.

5 **SECTION 259ic.** 92.18 (4) of the statutes is repealed.

6 **SECTION 259id.** 92.18 (5) of the statutes is amended to read:

7 92.18 (5) Any training required under this section may be conducted by the
8 department ~~or the department of natural resources~~ or by another person with the
9 approval of the department.”.

10 **420.** Page 154, line 4: after that line insert:

11 **“SECTION 259p.** 93.01 (1m) of the statutes is amended to read:

12 93.01 (1m) “Business” includes any business, except that of banks, savings
13 banks, credit unions, savings and loan associations, and insurance companies.
14 “Business” includes public utilities and telecommunications carriers to the extent
15 that their activities, beyond registration, notice, and reporting activities, are not
16 regulated by the public service commission and includes public utility and
17 telecommunications carrier methods of competition or trade and advertising
18 practices that are exempt from regulation by the public service commission under s.
19 196.195, 196.196, 196.202, 196.203, 196.219, or 196.499 or by other action of the
20 commission.”.

21 **421.** Page 154, line 4: after that line insert:

22 **“SECTION 259m.** 93.01 (1r) of the statutes is created to read:

1 93.01 (1r) “Civil investigative demand” means a written document prepared
2 by the department that is related to the enforcement of chs. 93 to 100 and that orders
3 a person to do any of the following:

4 (a) Provide originals or copies of documents, records, or reports in the person’s
5 custody.

6 (b) Answer specific questions submitted by the department in the form of
7 written depositions, interrogatories, or requests for admissions.

8 (c) Allow employees of the department to review and copy documents, records,
9 or reports in the person’s custody.”.

10 **422.** Page 154, line 4: after that line insert:

11 “**SECTION 259d.** 93.07 (1) of the statutes is amended to read:

12 93.07 (1) REGULATIONS. To make and enforce such regulations, not inconsistent
13 with law, as it may deem necessary for the exercise and discharge of all the powers
14 and duties of the department, and to adopt such measures and make such
15 regulations as are necessary and proper for the enforcement by the state of
16 department to carry out its duties and powers under chs. 93 to 100, which regulations
17 shall have the force of law.”.

18 **423.** Page 154, line 4: after that line insert:

19 “**SECTION 259c.** 93.02 of the statutes is amended to read:

20 **93.02 Staff.** The secretary shall appoint all staff necessary for the carrying out
21 of the duties of the department, all of whom shall be under the classified service
22 ~~except the deputy secretary, the executive assistant and, subject to s. 230.08 (4) (a),~~
23 ~~the administrators of divisions. Each such deputy secretary, executive assistant or,~~

1 Any administrator shall be appointed by the secretary with the approval of the
2 board.”.

3 **424.** Page 154, line 17: after that line insert:

4 “**SECTION 259u.** 93.14 (1m) of the statutes is created to read:

5 93.14 (1m) (a) Any person who has been served with a department complaint,
6 notice, order, or other process as authorized in s. 93.18 (5) shall be subject to the
7 department’s authority and jurisdiction, as limited by par. (b).

8 (b) The department’s jurisdiction may not exceed the jurisdiction granted to
9 courts under s. 815.05.

10 **SECTION 259v.** 93.14 (3) of the statutes is amended to read:

11 93.14 (3) Any person who shall unlawfully fail to attend as a witness, fail to
12 comply with a subpoena, order, or civil investigative demand, or refuse to testify may
13 be coerced as provided in s. 885.12.

14 **SECTION 259w.** 93.15 (1) of the statutes is amended to read:

15 93.15 (1) The department may, by general or special order, require persons
16 ~~engaged in business~~ to file with the department, at such time and in such manner
17 as the department may direct, sworn or unsworn reports or sworn or unsworn
18 answers in writing to specific questions, as to any matter which the department may
19 investigate.

20 **SECTION 259x.** 93.15 (2) of the statutes is amended to read:

21 93.15 (2) The department or any of its authorized agents may have access to
22 and may copy any document, or any part thereof, ~~which of a document, that~~ is in the
23 possession or under the control of any person ~~engaged in business~~, if such the

1 document, or ~~such part thereof of the document~~, is relevant to any matter ~~which that~~
2 the department may investigate.”.

3 **425.** Page 154, line 17: after that line insert:

4 “**SECTION 259sd.** 93.07 (23) of the statutes is created to read:

5 93.07 (23) CONSUMER PROTECTION ADMINISTRATION. To administer ss. 100.01 to
6 100.03, 100.05 to 100.07, 100.14, 100.183 to 100.19, 100.201, 100.206, 100.208,
7 100.21, 100.22, 100.235, 100.265, 100.27, 100.285 to 100.297, 100.30, 100.33 to
8 100.36, 100.45, 100.47, 100.48, and 100.51 and to enforce ss. 100.206, 100.21, 100.30,
9 and 100.51.

10 **SECTION 259se.** 93.07 (24) of the statutes is amended to read:

11 93.07 (24) ENFORCEMENT OF LAWS. To enforce or assist in the enforcement of chs.
12 88 and 93 to 100 and all other laws entrusted to its administration, and especially:

13 (a) To enforce the laws administered by the department regarding the
14 production, manufacture and sale, offering or exposing for sale or having in
15 possession with intent to sell, of any dairy, food or drug product.

16 (b) To enforce the laws administered by the department regarding the
17 adulteration or misbranding of any articles of food, drink, condiment or drug.

18 (c) To inspect any milk, butter, cheese, lard, syrup, coffee, tea or other article
19 of food, drink, condiment or drug made or offered for sale within this state which it
20 may suspect or have reason to believe, under the laws administered by the
21 department, to be impure, unhealthful, misbranded, adulterated or counterfeit, or
22 in any way unlawful.

23 (d) To prosecute or cause to be prosecuted, under the laws administered by the
24 department, any person engaged in the manufacture or sale, offering or exposing for

1 sale or having in possession with intent to sell, of any adulterated dairy product or
2 of any adulterated, misbranded, counterfeit, or otherwise unlawful article or articles
3 of food, drink, condiment or drug.

4 **SECTION 259sf.** 93.18 (3) of the statutes is amended to read:

5 93.18 (3) The department of justice, after acting pursuant to s. 100.37 or 100.41
6 to 100.43 to order the sale or distribution of any substance, article, furnishing, fabric,
7 product or related material ceased, shall give written notice of its finding to the
8 manufacturer, seller or other person responsible for placing the item in the channels
9 of trade in this state. After such notice no person may sell, remove or otherwise
10 dispose of such item except as directed by the department. Any person affected by
11 such notice may demand a prompt hearing to determine the validity of the
12 department's findings. The hearing, if requested, shall be held as expeditiously as
13 possible but not later than 30 days after notice. A request for hearing does not
14 operate to stay enforcement of the order during the pendency of the hearing. The
15 person petitioning for a hearing shall be entitled to the same rights specified under
16 sub. (2).

17 **SECTION 259sh.** 93.18 (7) of the statutes is created to read:

18 93.18 (7) The department of justice shall follow the procedures under subs. (1),
19 (2), (4), (5), and (6) in enforcing the provisions of ch. 100 that are administered by the
20 department of justice.

21 **SECTION 259sj.** 93.20 (1) of the statutes is amended to read:

22 93.20 (1) DEFINITION. In this section, "action" means an action that is
23 commenced in court by, or on behalf of, the department of agriculture, trade and
24 consumer protection to enforce chs. 88, 91 to 100 or 127 or an action that is
25 commenced in court by the department of justice to enforce ch. 100.

1 **SECTION 259sm.** 93.22 (1) of the statutes is amended to read:

2 93.22 (1) In cases arising under chs. 88 and 93 to ~~100 99~~ and ss. 100.206, 100.21,
3 100.30, and 100.51, the department may be represented by its attorney.

4 **SECTION 259sp.** 93.22 (2) of the statutes is amended to read:

5 93.22 (2) The department may, with the approval of the governor, appoint
6 special counsel to prosecute or assist in the prosecution of any case arising under chs.
7 88 and 93 to ~~100 99~~ and ss. 100.206, 100.21, 100.30, and 100.51. The cost of such
8 special counsel shall be charged to the appropriation for the department.”

9 **426.** Page 154, line 18: after that line insert:

10 “**SECTION 260h.** 93.38 (3m) of the statutes is created to read:

11 93.38 (3m) The department shall provide technical assistance to county land
12 conservation committees and local units of government for the development of
13 ordinances under sub. (2) or (3). The department’s technical assistance shall include
14 preparing model ordinances, providing data concerning the standards under s.
15 281.16 (3) and reviewing draft ordinances to determine whether the draft ordinances
16 comply with applicable statutes and rules.

17 **SECTION 260hp.** 93.70 of the statutes is renumbered 281.52.”

18 **427.** Page 154, line 18: after that line insert:

19 “**SECTION 260cm.** 93.75 of the statutes is repealed.”

20 **428.** Page 154, line 18: delete that line.

21 **429.** Page 155, line 7: after that line insert:

22 “**SECTION 262r.** 100.155 of the statutes is created to read:

23 **100.155 Sale of gift certificates; period of validity. (1) PERIOD OF VALIDITY.**

24 No person engaged in the business of selling goods or services may sell a gift

1 certificate unless the period of validity for the redemption of the gift certificate is at
2 least 2 years.

3 (2) REMEDIES. (a) The department may commence an action to restrain the
4 violation of this section. The court may, before the entry of final judgment, make such
5 orders or judgments as may be necessary to restore any pecuniary loss suffered by
6 any person because of the violation of this section.

7 (b) The court may order a person who commits a violation of this section to pay
8 the reasonable and necessary costs of investigation and of prosecution incurred by
9 the department, including attorney fees, related to the violation, notwithstanding s.
10 814.04 (1).”.

11 **430.** Page 155, line 7: after that line insert:

12 “SECTION 262m. 100.07 (6) of the statutes is amended to read:

13 100.07 (6) ~~Action~~ Upon request of the department, an action to enjoin violation
14 of this section may be commenced and prosecuted by the department of justice in the
15 name of the state in any court having equity jurisdiction.”.

16 **431.** Page 155, line 13: after that line insert:

17 “SECTION 263b. 100.207 (1) of the statutes is renumbered 100.207 (1) (intro.)
18 and amended to read:

19 100.207 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section,
20 “telecommunications:

21 (b) “Telecommunications service” has the meaning given in s. 196.01 (9m).

22 SECTION 263d. 100.207 (1) ^(am) ~~(a)~~ of the statutes is created to read:

23 100.207 (1) ^(am) ~~(a)~~ “Telecommunications provider” has the meaning given in s.
24 196.01 (8p).

1 **SECTION 263f.** 100.207 (3) (a) of the statutes is amended to read:

2 100.207 (3) (a) A person may not engage in negative option billing or negative
3 enrollment of telecommunications services, including unbundled
4 telecommunications services. A person may not bill a customer for, or enroll a
5 customer in, any telecommunications service that the customer did not affirmatively
6 order unless that service is required to be provided by law, the federal
7 communications commission, or the public service commission. A customer's failure
8 to refuse a person's proposal to provide a telecommunications service is not an
9 affirmative request for that telecommunications service. A customer's request to be
10 enrolled in a particular telecommunications service is an affirmative request to be
11 enrolled only in that particular telecommunications service.

12 **SECTION 263h.** 100.207 (3g) of the statutes is created to read:

13 100.207 (3g) BILLING FOR OTHER SERVICES. (a) A telecommunications provider
14 may not bill a customer for any goods or services, other than telecommunications
15 services, unless the customer consented to the billing.

16 (b) If a customer consents to being billed under par. (a), all of the following shall
17 apply:

18 1. The telecommunications provider shall distinguish the billing for the other
19 goods or services from the billing for the telecommunications service in a conspicuous
20 manner.

21 2. The telecommunications provider shall provide a detailed itemized listing
22 of the charges for the goods or services if requested to do so by the customer.

23 3. The telecommunication provider shall disclose to the customer at the time
24 of each billing that the customer's telecommunications service will not be affected
25 due to a failure to pay the billing.

1 **SECTION 263j.** 100.207 (5g) of the statutes is created to read:

2 100.207 (5g) RESTRICTIONS ON CONTRACTS. No telecommunications provider
3 may place in a contract entered into with a customer located in this state a clause that
4 provides that a law of a state other than this state applies to the parties or terms of
5 the contract or the rights and remedies under the contract, unless the law of the other
6 state is in conformity with the law of this state.

7 **SECTION 263L.** 100.207 (5m) of the statutes is created to read:

8 100.207 (5m) RECORD REQUIREMENTS. Any person who provides
9 telecommunications service to any customer in this state shall maintain each billing
10 and collection record that is made in providing the telecommunications service for
11 a period of 5 years beginning on the date that the record is made.

12 **SECTION 263n.** 100.207 (6) (b) 1. of the statutes is amended to read:

13 100.207 (6) (b) 1. The department of justice, after consulting with the
14 department of agriculture, trade and consumer protection, or any district attorney
15 upon informing the department of agriculture, trade and consumer protection, may
16 commence an action in circuit court in the name of the state to restrain by temporary
17 or permanent injunction any violation of this section. Injunctive relief may include
18 an order directing telecommunications providers, as defined in s. 196.01 (8p), to
19 discontinue telecommunications service provided to a person violating this section
20 or ch. 196. Temporary injunctive relief may include an order requiring that a person
21 who provides telecommunications services deposit in an escrow account any
22 payments that the provider has received or is expected to receive from customers as
23 a result of practices that may violate this section or ch. 196. Before entry of final
24 judgment, the court may make such orders or judgments as may be necessary to
25 restore to any person any pecuniary loss suffered because of the acts or practices

1 involved in the action if proof of these acts or practices is submitted to the satisfaction
2 of the court.

3 **SECTION 263p.** 100.207 (6) (c) of the statutes is amended to read:

4 100.207 (6) (c) Any person who violates ~~subs. (2) to (4)~~ this section shall be
5 required to forfeit not less than \$25 nor more than ~~\$5,000~~ \$10,000 for each offense.
6 Each day of violation constitutes a separate offense. Forfeitures under this
7 paragraph shall be enforced by the department of justice, after consulting with the
8 department of agriculture, trade and consumer protection, or, upon informing the
9 department, by the district attorney of the county where the violation occurs.

10 **SECTION 263r.** 100.207 (6) (em) 1. of the statutes is amended to read:

11 100.207 (6) (em) 1. Before preparing any proposed rule under ~~this section~~ par.
12 (e), the department shall form an advisory group to suggest recommendations
13 regarding the content and scope of the proposed rule. The advisory group shall
14 consist of one or more persons who may be affected by the proposed rule, a
15 representative from the department of justice, and a representative from the public
16 service commission.

17 **SECTION 263t.** 100.207 (6) (g) of the statutes is created to read:

18 100.207 (6) (g) Nothing in this subsection precludes the department from
19 seeking a remedy or penalty in accordance with the rules promulgated under sub.
20 (7). Practices in violation of sub. (3) may also constitute a violation of the rules
21 promulgated under sub. (7).

22 **SECTION 263v.** 100.207 (7) of the statutes is created to read:

23 100.207 (7) ADMINISTRATION OF FEDERAL COMMUNICATIONS COMMISSION RULES.
24 The department shall administer and enforce the federal communications
25 commission's unauthorized carrier change rules and remedies under 47 CFR 64.1110

1 to 64.1190 and shall notify the federal communications commission, in accordance
2 with 47 CFR 64.1110 (a), of its intention to administer and enforce those rules and
3 remedies. In addition to the rules promulgated under sub. (6) (e), the department
4 shall promulgate rules that are consistent with the commission's unauthorized
5 carrier change rules and remedies under 47 CFR 64.1110 to 64.1190.”.

6 **432.** Page 155, line 13: after that line insert:

7 “**SECTION 263bb.** 100.171 (7) (b) of the statutes, as affected by 2001 Wisconsin
8 Act (this act), is amended to read:

9 100.171 (7) (b) Whoever intentionally violates this section is guilty of a Class
10 I felony. A person intentionally violates this section if the violation occurs after the
11 department of justice or a district attorney has notified the person by certified mail
12 that the person is in violation of this section.

13 **SECTION 263bd.** 100.171 (8) (intro.) of the statutes is amended to read:

14 100.171 (8) ENFORCEMENT. (intro.) The department of justice shall investigate
15 violations of this section. The department of justice or any district attorney may on
16 behalf of the state:

17 **SECTION 263bg.** 100.173.(4) (intro.) of the statutes is amended to read:

18 100.173 (4) (intro.) The department of justice shall investigate violations of this
19 section. The department of justice, or any district attorney upon informing the
20 department of justice, may, on behalf of the state, do any of the following:

21 **SECTION 263bj.** 100.173 (4) (a) of the statutes is amended to read:

22 100.173 (4) (a) Bring an action for temporary or permanent injunctive relief in
23 any court of competent jurisdiction for any violation of this section. The relief sought
24 by the department of justice or district attorney may include the payment by a

1 promoter into an escrow account of an amount estimated to be sufficient to pay for
2 ticket refunds. The court may, upon entry of final judgment, award restitution when
3 appropriate to any person suffering loss because of violations of this section if proof
4 of such loss is submitted to the satisfaction of the court.

5 **SECTION 263bn.** 100.174 (5) (intro.) of the statutes is amended to read:

6 100.174 (5) (intro). The department of justice or any district attorney may on
7 behalf of the state:

8 **SECTION 263bq.** 100.174 (6) of the statutes is amended to read:

9 100.174 (6) The department of justice shall investigate violations of and
10 enforce this section.

11 **SECTION 263bt.** 100.175 (5) (a) (intro.) of the statutes is amended to read:

12 100.175 (5) (a) (intro.) No person may collect or by contract require a buyer to
13 pay more than \$100 for dating services before the buyer receives or has the
14 opportunity to receive those services unless the person selling dating services
15 establishes proof of financial responsibility by maintaining any of the following
16 commitments approved by the department of justice in an amount not less than
17 \$25,000:

18 **SECTION 263bw.** 100.175 (5) (b) of the statutes is amended to read:

19 100.175 (5) (b) The commitment described in par. (a) shall be established in
20 favor of or made payable to the state, for the benefit of any buyer who does not receive
21 a refund under the contractual provision described in sub. (3). The person selling
22 dating services shall file with the department of justice any agreement, instrument
23 or other document necessary to enforce the commitment against the person selling
24 dating services or any relevant 3rd party, or both.

25 **SECTION 263bz.** 100.175 (7) (a) (intro.) of the statutes is amended to read:

1 100.175 (7) (a) (intro.) The department of justice or any district attorney may
2 on behalf of the state:

3 **SECTION 263gb.** 100.175 (7) (b) of the statutes is amended to read:

4 100.175 (7) (b) The department of justice may bring an action in circuit court
5 to recover on a financial commitment maintained under sub. (5) against a person
6 selling dating services or relevant 3rd party, or both, on behalf of any buyer who does
7 not receive a refund due under the contractual provision described in sub. (3).

8 **SECTION 263gd.** 100.177 (1) (bm) of the statutes is created to read:

9 100.177 (1) (bm) Notwithstanding s. 93.01 (3), “department” means the
10 department of justice.

11 **SECTION 263gg.** 100.178 (1) (b) of the statutes is amended to read:

12 100.178 (1) (b) Notwithstanding s. 93.01 (3), “department” means the
13 department of ~~health and family services~~ justice.

14 **SECTION 263gj.** 100.18 (11) (a) of the statutes is amended to read:

15 100.18 (11) (a) The department of ~~agriculture, trade and consumer protection~~
16 justice shall enforce this section. Actions to enjoin violation of this section or any
17 regulations thereunder may be commenced and prosecuted by the department of
18 justice in the name of the state in any court having equity jurisdiction. This remedy
19 is not exclusive.

20 **SECTION 263gm.** 100.18 (11) (b) 3. of the statutes is amended to read:

21 100.18 (11) (b) 3. No action may be commenced under this section more than
22 3 years after the occurrence of the unlawful act or practice which is the subject of the
23 action. No injunction may be issued under this section which would conflict with
24 general or special orders of the department of justice or any statute, rule or
25 regulation of the United States or of this state.

1 **SECTION 263gp.** 100.18 (11) (c) 1. of the statutes is amended to read:

2 100.18 (11) (c) 1. Whenever the department of justice has reason to believe that
3 a person is in possession, custody or control of any information or documentary
4 material relevant to the enforcement of this section it may require that person to
5 submit a statement or report, under oath or otherwise, as to the facts and
6 circumstances concerning any activity in the course of trade or commerce; examine
7 under oath that person with respect to any activity in the course of trade or
8 commerce; and execute in writing and cause to be served upon such person a civil
9 investigative demand requiring the person to produce any relevant documentary
10 material for inspection and copying.

11 **SECTION 263gs.** 100.18 (11) (c) 2. of the statutes is amended to read:

12 100.18 (11) (c) 2. The department of justice, in exercising powers under this
13 subsection, may issue subpoenas, administer oaths and conduct hearings to aid in
14 any investigation.

15 **SECTION 263gu.** 100.18 (11) (c) 3. of the statutes is amended to read:

16 100.18 (11) (c) 3. Service of any notice by the department of justice requiring
17 a person to file a statement or report, or service of a subpoena upon a person, or
18 service of a civil investigative demand shall be made in compliance with the rules of
19 civil procedure of this state.

20 **SECTION 263gx.** 100.18 (11) (c) 4. of the statutes is amended to read:

21 100.18 (11) (c) 4. If a person fails to file any statement or report, or fails to
22 comply with any civil investigative demand, or fails to obey any subpoena issued by
23 the department of justice, such person may be coerced as provided in s. 885.12, except
24 that no person shall be required to furnish any testimony or evidence under this
25 subsection which might tend to incriminate the person.

1 **SECTION 263mb.** 100.18 (11) (d) of the statutes is amended to read:

2 100.18 (11) (d) ~~The department or the~~ department of justice, ~~after consulting~~
3 ~~with the department,~~ or any district attorney, upon informing the department of justice,
4 may commence an action in circuit court in the name of the state to restrain
5 by temporary or permanent injunction any violation of this section. The court may
6 in its discretion, prior to entry of final judgment, make such orders or judgments as
7 may be necessary to restore to any person any pecuniary loss suffered because of the
8 acts or practices involved in the action, provided proof thereof is submitted to the
9 satisfaction of the court. ~~The department and the~~ department of justice may
10 subpoena persons and require the production of books and other documents, ~~and the~~
11 ~~department of justice may request the department to exercise its authority under~~
12 ~~par. (c) to aid in the investigation of alleged violations of this section.~~

13 **SECTION 263mf.** 100.18 (11) (e) of the statutes is amended to read:

14 100.18 (11) (e) In lieu of instituting or continuing an action pursuant to this
15 section, ~~the department or the~~ department of justice may accept a written assurance
16 of discontinuance of any act or practice alleged to be a violation of this section from
17 the person who has engaged in such act or practice. The acceptance of such assurance
18 by ~~either the department or the~~ department of justice shall be deemed acceptance by
19 ~~the other state officials enumerated in par. (d)~~ any district attorney if the terms of
20 the assurance so provide. An assurance entered into pursuant to this section shall
21 not be considered evidence of a violation of this section, provided that violation of
22 such an assurance shall be treated as a violation of this section, and shall be
23 subjected to all the penalties and remedies provided therefor.

24 **SECTION 263mj.** 100.182 (5) (a) of the statutes is amended to read:

1 100.182 (5) (a) Any district attorney, after informing the department of justice,
2 or the department of justice may seek a temporary or permanent injunction in circuit
3 court to restrain any violation of this section. Prior to entering a final judgment the
4 court may award damages to any person suffering monetary loss because of a
5 violation. The department of justice may subpoena any person or require the
6 production of any document to aid in investigating alleged violations of this section.

7 **SECTION 263mm.** 100.182 (5) (b) of the statutes is amended to read:

8 100.182 (5) (b) In lieu of instituting or continuing an action under this
9 subsection, the department of justice may accept a written assurance from a violator
10 of this section that the violation has ceased. If the terms of the assurance so provide,
11 its acceptance by the department of justice prevents all district attorneys from
12 prosecuting the violation. An assurance is not evidence of a violation of this section
13 but violation of an assurance is subject to the penalties and remedies of violating this
14 section.

15 **SECTION 263mp.** 100.20 (2) (a) of the statutes is amended to read:

16 100.20 (2) (a) The department of justice, after public hearing, may issue
17 general orders forbidding methods of competition in business or trade practices in
18 business which are determined by the department of justice to be unfair. The
19 department of justice, after public hearing, may issue general orders prescribing
20 methods of competition in business or trade practices in business which are
21 determined by the department of justice to be fair.

22 **SECTION 263mr.** 100.20 (2) (b) of the statutes is amended to read:

23 100.20 (2) (b) Notwithstanding par. (a), the department of justice may not issue
24 any order or promulgate any rule that regulates the provision of water or sewer
25 service by a manufactured home park operator, as defined in s. 101.91 (8), or

1 manufactured home park contractor, as defined in s. 101.91 (6m), or enforce any rule
2 to the extent that the rule regulates the provision of such water or sewer service.

3 **SECTION 263mt.** 100.20 (3) of the statutes is amended to read:

4 100.20 (3) The department of justice, after public hearing, may issue a special
5 order against any person, enjoining such person from employing any method of
6 competition in business or trade practice in business which is determined by the
7 department of justice to be unfair or from providing service in violation of sub. (1t).
8 The department of justice, after public hearing, may issue a special order against any
9 person, requiring such person to employ the method of competition in business or
10 trade practice in business which is determined by the department of justice to be fair.

11 **SECTION 263mv.** 100.20 (4) of the statutes is amended to read:

12 100.20 (4) ~~The If the department of justice may file a written complaint with~~
13 ~~the department alleging that the has reason to believe that a person named is~~
14 ~~employing unfair methods of competition in business or unfair trade practices in~~
15 ~~business or both. Whenever such a complaint is filed, it shall be the duty of the~~
16 ~~department of justice to proceed, after proper notice and in accordance with its rules,~~
17 ~~to the hearing and adjudication of the matters alleged, and a representative of the~~
18 ~~department of justice designated by the attorney general may appear before the~~
19 ~~department in such proceedings. The department of justice shall be entitled to~~
20 ~~judicial review of the decisions and orders of the department under ch. 227 matter.~~

21 **SECTION 263mx.** 100.20 (6) of the statutes is amended to read:

22 100.20 (6) The department of justice may commence an action in circuit court
23 in the name of the state to restrain by temporary or permanent injunction the
24 violation of any order issued under this section. The court may in its discretion, prior
25 to entry of final judgment make such orders or judgments as may be necessary to

1 restore to any person any pecuniary loss suffered because of the acts or practices
2 involved in the action, provided proof thereof is submitted to the satisfaction of the
3 court. The department of justice may use its authority in ~~ss. 93.14 and 93.15~~ to
4 investigate violations of any order issued under this section.

5 **SECTION 263mz.** 100.201 (6) (d) of the statutes is amended to read:

6 100.201 (6) (d) The failure to pay fees under this subsection within the time
7 provided under par. (c) is a violation of this section. The department of justice may
8 also commence an action to recover the amount of any overdue fees plus interest at
9 the rate of 2% per month for each month that the fees are delinquent.

10 **SECTION 263nb.** 100.201 (8m) (intro.) of the statutes is amended to read:

11 100.201 (8m) JURISDICTION. (intro.) This section shall apply to transactions,
12 acts or omissions which take place in whole or in part outside this state. In any action
13 or administrative proceeding the department of justice has jurisdiction of the person
14 served under s. 801.11 when any act or omission outside this state by the defendant
15 or respondent results in local injury or may have the effect of injuring competition
16 or a competitor in this state or unfairly diverts trade or business from a competitor,
17 if at the time:

18 **SECTION 263nd.** 100.201 (9) (b) of the statutes is amended to read:

19 100.201 (9) (b) The department, after public hearing held under s. 93.18, may
20 issue a special order against any person requiring such person to cease and desist
21 from acts, practices or omissions determined by the department to violate this
22 section. Such orders shall be subject to judicial review under ch. 227. Any violation
23 of a special order issued hereunder shall be punishable as a contempt under ch. 785
24 in the manner provided for disobedience of a lawful order of a court, upon the filing

1 of an affidavit by the department of justice of the commission of such violation in any
2 court of record in the county where the violation occurred.

3 **SECTION 263nf.** 100.201 (9) (c) of the statutes is amended to read:

4 100.201 (9) (c) The department of justice, in addition to or in lieu of any other
5 remedies herein provided, may apply to a circuit court for a temporary or permanent
6 injunction to prevent, restrain or enjoin any person from violating this section or any
7 special order of the department of agriculture, trade and consumer protection issued
8 ~~hereunder~~ under this section, without being compelled to allege or prove that an
9 adequate remedy at law does not exist.

10 **SECTION 263nj.** 100.205 (7) of the statutes is amended to read:

11 100.205 (7) The department of justice, or any district attorney on informing the
12 department of justice, may commence an action in circuit court in the name of the
13 state to restrain by temporary or permanent injunction any violation of this section.
14 The court may, before entry of final judgment and after satisfactory proof, make
15 orders or judgments necessary to restore to any person any pecuniary loss suffered
16 because of a violation of this section. The department of justice may conduct
17 hearings, administer oaths, issue subpoenas and take testimony to aid in its
18 investigation of violations of this section.

19 **SECTION 263nm.** 100.205 (8) of the statutes is amended to read:

20 100.205 (8) The department of justice or any district attorney may commence
21 an action in the name of the state to recover a forfeiture to the state of not more than
22 \$10,000 for each violation of this section.

23 **SECTION 263nn.** 100.207 (1) of the statutes is renumbered 100.207 (1) (intro.)
24 and amended to read:

STET

STET

1 ~~100.207 (1) DEFINITION DEFINITIONS.~~ (intro.) In this section,
2 "telecommunications:

3 ~~(b) "Telecommunications service" has the meaning given in s. 196.01 (9m).~~

4 **SECTION 263no.** 100.207 (1) (a) of the statutes is created to read:

5 100.207 (1) (a) Notwithstanding s. 93.01 (3), "department" means the
6 department of justice.

7 **SECTION 263nq.** 100.207 (6) (b) 1. of the statutes is amended to read:

8 100.207 (6) (b) 1. The department of justice, ~~after consulting with the~~
9 ~~department of agriculture, trade and consumer protection,~~ or any district attorney
10 upon informing the department of ~~agriculture, trade and consumer protection,~~ may
11 commence an action in circuit court in the name of the state to restrain by temporary
12 or permanent injunction any violation of this section. Injunctive relief may include
13 an order directing telecommunications providers, as defined in s. 196.01 (8p), to
14 discontinue telecommunications service provided to a person violating this section
15 or ch. 196. Before entry of final judgment, the court may make such orders or
16 judgments as may be necessary to restore to any person any pecuniary loss suffered
17 because of the acts or practices involved in the action if proof of these acts or practices
18 is submitted to the satisfaction of the court.

19 **SECTION 263nt.** 100.207 (6) (b) 2. of the statutes is amended to read:

20 100.207 (6) (b) 2. The department ~~may exercise its authority under ss. 93.14~~
21 ~~to 93.16 and 100.18 (11) (c) to~~ shall administer this section. The department and the
22 ~~department of justice~~ may subpoena persons and, require the production of books
23 and other documents, and the department of justice may request the department of
24 ~~agriculture, trade and consumer protection to exercise its authority to aid in the~~
25 ~~investigation of~~ investigate alleged violations of this section.

1 **SECTION 263nv.** 100.207 (6) (c) of the statutes is amended to read:

2 100.207 (6) (c) Any person who violates subs. (2) to (4) shall be required to
3 forfeit not less than \$25 nor more than \$5,000 for each offense. Forfeitures under this
4 paragraph shall be enforced by the department of justice, ~~after consulting with the~~
5 ~~department of agriculture, trade and consumer protection,~~ or, upon informing the
6 department, by the district attorney of the county where the violation occurs.

7 **SECTION 263nz.** 100.207 (6) (em) 1. of the statutes is amended to read:

8 100.207 (6) (em) 1. Before preparing any proposed rule under this section, the
9 department shall form an advisory group to suggest recommendations regarding the
10 content and scope of the proposed rule. The advisory group shall consist of one or
11 more persons who may be affected by the proposed rule, ~~a representative from the~~
12 ~~department of justice~~ and a representative from the public service commission.

13 **SECTION 263pb.** 100.207 (6) (em) 2. of the statutes is amended to read:

14 100.207 (6) (em) 2. The department shall submit the recommendations under
15 subd. 1., if any, to the legislature as part of the report required under s. 227.19 (2)
16 ~~and to the board of agriculture, trade and consumer protection.~~

17 **SECTION 263pf.** 100.208 (2) (intro.) of the statutes is amended to read:

18 100.208 (2) (intro.) The department of justice shall notify the public service
19 commission if any of the following conditions exists:

20 **SECTION 263pj.** 100.208 (2) (b) of the statutes is amended to read:

21 100.208 (2) (b) The department of justice has issued an order under s. 100.20
22 (3) prohibiting a telecommunications provider from engaging in an unfair trade
23 practice or method of competition.

24 **SECTION 263pm.** 100.209 (3) of the statutes is amended to read:

1 100.209 (3) RULES AND LOCAL ORDINANCES ALLOWED. This section does not
2 prohibit the department of justice from promulgating a rule or from issuing an order
3 consistent with its authority under this chapter that gives a subscriber greater rights
4 than the rights under sub. (2) or prohibit a city, village or town from enacting an
5 ordinance that gives a subscriber greater rights than the rights under sub. (2).

6 **SECTION 263pp.** 100.209 (4) (b) of the statutes is amended to read:

7 100.209 (4) (b) The department of justice and the district attorneys of this state
8 have concurrent authority to institute civil proceedings under this section.

9 **SECTION 263ps.** 100.2095 (6) (b) of the statutes is amended to read:

10 100.2095 (6) (b) The department of justice may commence an action in the
11 name of the state to restrain by temporary or permanent injunction a violation of sub.
12 (3), (4) or (5). Before entry of final judgment, the court may make any necessary
13 orders to restore to any person any pecuniary loss suffered by the person because of
14 the violation.

15 **SECTION 263pv.** 100.2095 (6) (c) of the statutes is amended to read:

16 100.2095 (6) (c) The department of justice or any district attorney may
17 commence an action in the name of the state to recover a forfeiture to the state of not
18 less than \$100 nor more than \$10,000 for each violation of sub. (3), (4) or (5).”.

19 **433.** Page 155, line 17: after that line insert:

20 **“SECTION 264d.** 100.21 (2) (a) of the statutes is amended to read:

21 100.21 (2) (a) No person may make an energy savings or safety claim without
22 a reasonable and currently accepted scientific basis for the claim when the claim is
23 made. Making an energy savings or safety claim without a reasonable and currently

1 accepted scientific basis is also an unfair method of competition and trade practice
2 prohibited under s. 100.20.

3 **SECTION 264h.** 100.21 (4) (a) (intro.) of the statutes is amended to read:

4 100.21 (4) (a) (intro.) The department may, after public hearing, issue general
5 or special orders ~~under s. 100.20:~~

6 **SECTION 264p.** 100.22 (4) (b) of the statutes is amended to read:

7 100.22 (4) (b) The department of justice may, without alleging or proving that
8 no other adequate remedy at law exists, bring an action to enjoin violations of this
9 section or a special order issued under this section in the circuit court for the county
10 where the alleged violation occurred.

11 **SECTION 264t.** 100.235 (11) (a) of the statutes is amended to read:

12 100.235 (11) (a) *Forfeiture.* Any person who violates this section or any rule
13 promulgated or order issued under this section may be required to forfeit not less
14 than \$100 nor more than \$10,000. ~~Notwithstanding s. 165.25 (1), the department~~
15 ~~may commence an action to recover a forfeiture under this paragraph.”.~~

16 **434.** Page 156, line 3: after that line insert:

17 **“SECTION 266m.** 100.26 (6) of the statutes is amended to read:

18 100.26 (6) ~~The department, the department of justice, after consulting with the~~
19 ~~department, or any district attorney may commence an action in the name of the~~
20 ~~state to recover a civil forfeiture to the state of not less than \$100 nor more than~~
21 ~~\$10,000 for each violation of~~ Any person violating an injunction issued under s.
22 100.18, 100.182 or 100.20 (6). ~~The department of agriculture, trade and consumer~~
23 ~~protection or any district attorney may commence an action in the name of the state~~
24 ~~to recover a civil~~ is subject to a forfeiture of not less than \$100 nor more than \$10,000

1 for each violation. Any person violating an order issued under s. 100.20 is subject
2 to a forfeiture to the state of not less than \$100 nor more than \$10,000 for each
3 violation of an order issued under s. 100.20.”.

4 **435.** Page 156, line 9: after that line insert:

5 “**SECTION 267d.** 100.275 of the statutes is created to read:

6 **100.275 Mercury thermometers.** (1) Except as provided in sub. (2), no
7 manufacturer, wholesaler, or retailer may sell or give away a thermometer that
8 contains mercury.

9 (2) Subsection (1) does not apply to any of the following:

10 (a) A mercury thermometer used for food research and development or food
11 processing, including meat, dairy product, and pet food processing.

12 (b) A mercury thermometer used for the calibration of other thermometers,
13 apparatus, or equipment, unless a calibration standard that does not use mercury
14 is approved for that calibration by the National Institute of Standards and
15 Technology.

16 (c) A mercury thermometer that is a component of an agriculture climate
17 control system or industrial measurement system if the system is in use on the
18 effective date of this paragraph [revisor inserts date].

19 (d) A mercury thermometer that is a component of an agriculture climate
20 control system or industrial measurement system if a nonmercury alternative is not
21 available as a component of the system.

22 (e) An electronic thermometer that includes a battery that contains mercury,
23 if a person is not prohibited from selling that battery or offering that battery for sale
24 under s. 100.27.

1 (f) An antique or collectible mercury thermometer, manufactured before 1998,
2 on which advertising is displayed.

3 (3) Any person who violates this section may be required to forfeit not more
4 than \$200 for each violation. Each sale or gift of a thermometer in violation of this
5 section constitutes a separate violation.”.

6 **436.** Page 156, line 9: after that line insert:

7 “SECTION 267e. 100.264 (2) (intro.) of the statutes is amended to read:

8 100.264 (2) SUPPLEMENTAL FORFEITURE. (intro.) If a fine or a forfeiture is
9 imposed on a person for a violation under s. 100.16, 100.17, 100.18, 100.182, 100.183,
10 100.20, 100.205, 100.207, 100.21, 100.30 (3), 100.35, 100.44 ~~or~~, 100.46, or 100.52 (10)
11 (b) or a rule promulgated under one of those sections, the person shall be subject to
12 a supplemental forfeiture not to exceed \$10,000 for that violation if the conduct by
13 the defendant, for which the violation was imposed, was perpetrated against an
14 elderly person or disabled person and if the court finds that any of the following
15 factors is present:

16 SECTION 267m. 100.52 (10) (a) of the statutes, as created by 2001 Wisconsin
17 Act 16, is amended to read:

18 100.52 (10) (a) Except as provided in par. (b), a person who violates this section
19 may be required to forfeit not less than \$100 nor more than \$500 for each violation.

20 SECTION 267s. 100.52 (10) (b) of the statutes, as created by 2001 Wisconsin Act
21 16, is amended to read:

22 100.52 (10) (b) A telephone solicitor that violates sub. (4) may be required to
23 forfeit not less than \$100 nor more than \$100 ~~\$100~~ \$1,000 for each violation.”.

24 **437.** Page 156, line 9: after that line insert:

1 **“SECTION 267kb.** 100.261 (3) (b) of the statutes, as affected by 2001 Wisconsin
2 Act 16, is amended to read:

3 100.261 (3) (b) The state treasurer shall deposit the consumer protection
4 assessment amounts imposed for a violation of ch. 98, a rule promulgated under ch.
5 98, or an ordinance enacted under ch. 98 in the general fund and shall credit them
6 to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par.
7 (c).

8 **SECTION 267kd.** 100.261 (3) (d) of the statutes is created to read:

9 100.261 (3) (d) The state treasurer shall deposit the consumer protection
10 assessment amounts imposed for a violation of this chapter, a rule promulgated
11 under this chapter, or an ordinance enacted under this chapter in the general fund
12 and shall credit them to the appropriation account under s. 20.455 (1) (g), subject to
13 the limit under par. (e).

14 **SECTION 267ke.** 100.261 (3) (e) of the statutes is created to read:

15 100.261 (3) (e) The amount credited to the appropriation account under s.
16 20.455 (1) (g) may not exceed \$185,000 in each fiscal year.

17 **SECTION 267kf.** 100.263 of the statutes is amended to read:

18 **100.263 Recovery.** In addition to other remedies available under this chapter,
19 the court may award ~~the department~~ the reasonable and necessary costs of
20 investigation and an amount reasonably necessary to remedy the harmful effects of
21 the violation and the court may award ~~the department of justice~~ the reasonable and
22 necessary expenses of prosecution, including attorney fees, from any person who
23 violates this chapter. ~~The department and the department of justice~~ amounts
24 awarded under this subsection shall deposit be deposited in the state treasury for
25 deposit in the general fund ~~all moneys that the court awards to the department, the~~

1 ~~department of justice or the state under this section.~~ Ten percent of the money
2 deposited in the general fund that was awarded under this section for the costs of
3 investigation and the expenses of prosecution, including attorney fees, shall be
4 credited to the appropriation account under s. 20.455 (1) (gh).

5 **SECTION 267kh.** 100.28 (4) (b) of the statutes is amended to read:

6 100.28 (4) (b) In lieu of or in addition to forfeitures under par. (a), the
7 department of justice may seek an injunction restraining any person from violating
8 this section.

9 **SECTION 267kj.** 100.28 (4) (c) of the statutes is amended to read:

10 100.28 (4) (c) The department of justice, or any district attorney upon the
11 request of the department of justice, may commence an action in the name of the
12 state under par. (a) or (b).

13 **SECTION 267kL.** 100.31 (4) of the statutes is amended to read:

14 100.31 (4) PENALTIES. For any violation of this section, the department of
15 justice or a district attorney may commence an action on behalf of the state to recover
16 a forfeiture of not less than \$100 nor more than \$10,000 for each offense. Each
17 delivery of a drug sold to a purchaser at a price in violation of this section and each
18 separate day in violation of an injunction issued under this section is a separate
19 offense.

20 **SECTION 267kn.** 100.31 (5) of the statutes is amended to read:

21 100.31 (5) SPECIAL REMEDIES. The department of justice or a district attorney
22 may bring an action to enjoin a violation of this section without being compelled to
23 allege or prove that an adequate remedy at law does not exist. An action under this
24 subsection may be commenced and prosecuted by the department of justice or a

1 district attorney, in the name of the state, in a circuit court in the county where the
2 offense occurred or in Dane County, notwithstanding s. 801.50.

3 **SECTION 267ko.** 100.37 (1) (am) of the statutes is created to read:

4 100.37 (1) (am) Notwithstanding s. 93.01 (3), “department” means the
5 department of justice.

6 **SECTION 267kp.** 100.38 (5) of the statutes is amended to read:

7 100.38 (5) INSPECTION. The department of justice shall enforce this section by
8 inspection, chemical analyses or any other appropriate method and the department
9 of justice may promulgate such rules as are necessary to effectively enforce this
10 section.

11 **SECTION 267kq.** 100.38 (6) of the statutes is amended to read:

12 100.38 (6) ENFORCEMENT. It is unlawful to sell any antifreeze which is
13 adulterated or misbranded. In addition to the penalties provided under sub. (7), the
14 department of justice may bring an action to enjoin violations of this section.

15 **SECTION 267kr.** 100.41 (1) (bn) of the statutes is created to read:

16 100.41 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the
17 department of justice.

18 **SECTION 267ks.** 100.42 (1) (cm) of the statutes is created to read:

19 100.42 (1) (cm) Notwithstanding s. 93.01 (3), “department” means the
20 department of justice.

21 **SECTION 267kt.** 100.43 (1) (am) of the statutes is created to read:

22 100.43 (1) (am) Notwithstanding s. 93.01 (3), “department” means the
23 department of justice.

24 **SECTION 267ku.** 100.44 (5) of the statutes is amended to read:

1 100.44 (5) ENFORCEMENT. For any violation of sub. (3), the department of justice
2 may, on behalf of the state, bring an action in any court of competent jurisdiction for
3 the recovery of forfeitures authorized under sub. (4), for temporary or permanent
4 injunctive relief and for any other appropriate relief. The court may make any order
5 or judgment that is necessary to restore to any person any pecuniary loss suffered
6 because of a violation of sub. (3) if proof of the loss is shown to the satisfaction of the
7 court.

8 **SECTION 267kv.** 100.46 (1) of the statutes is amended to read:

9 100.46 (1) ENERGY CONSERVATION STANDARDS. The department of justice may by
10 rule adopt energy conservation standards for products that have been established in
11 or promulgated under 42 USC 6291 to 6309.

12 **SECTION 267kw.** 100.46 (2) of the statutes is amended to read:

13 100.46 (2) PROHIBITED ACTS; ENFORCEMENT. No person may sell at retail, install
14 or cause to be installed any product that is not in compliance with rules promulgated
15 under sub. (1). In addition to other penalties and enforcement procedures, the
16 department of justice may apply to a court for a temporary or permanent injunction
17 restraining any person from violating a rule adopted under sub. (1).

18 **SECTION 267kx.** 100.50 (6) (b) of the statutes is amended to read:

19 100.50 (6) (b) In lieu of or in addition to the remedy under par. (a), the
20 department of justice may seek an injunction restraining any person from violating
21 this section.

22 **SECTION 267ky.** 100.50 (6) (c) of the statutes is amended to read:

23 100.50 (6) (c) The department of justice, or any district attorney upon the
24 request of the department of justice, may commence an action in the name of the
25 state under par. (a) or (b).

(B)

1 **SECTION 267kz.** 100.52 (1) (bn) of the statutes is created to read:
2 100.52 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the
3 department of justice.”

4 **438.** Page 156, line 9: after that line insert:

5 “**SECTION 267n.** 101.03 of the statutes is amended to read:

6 **101.03 Testimonial powers of secretary and deputy.** The secretary ~~or any~~
7 ~~deputy secretary~~ may certify to official acts, and take testimony.”

8 **439.** Page 156, line 20: after that line insert:

9 “**SECTION 269m.** 101.175 (3) (intro.) of the statutes is amended to read:

10 101.175 (3) (intro.) The department, in consultation with the department of
11 ~~agriculture, trade and consumer protection~~ justice, shall establish by rule quality
12 standards for local energy resource systems which do not impede development of
13 innovative systems ~~but which do:~~”

14 **440.** Page 157, line 22: after that line insert:

15 “**SECTION 274h.** 103.67 (1) of the statutes is amended to read:

16 103.67 (1) A minor 14 to 18 years of age ~~shall~~ may not be employed or permitted
17 to work in any gainful occupation during the hours that the minor is required to
18 attend school under s. 118.15 unless the minor has completed high school, except that
19 any minor may be employed in a public exhibitions exhibition as provided in s. 103.78
20 and a minor 16 years of age or over may be employed as an election inspector as
21 provided in s. 7.30 (2) (am).

22 **SECTION 274j.** 103.68 (1) of the statutes is amended to read:

23 103.68 (1) No minor shall be employed or permitted to work at any gainful
24 occupation other than domestic service ~~or~~ farm labor, or service as an election

(C)